

# **City of Glenn Heights**

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## **Personnel Policies, Guidelines & Procedures**



**Adopted: June 7, 2010  
Ordinance: O-06-10**

**Amended and Updated March 17, 2015**  
Ordinance: O-17-10  
Ordinance: O-11-12  
Ordinance: O-26-12  
Ordinance: O-01-15

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# City of Glenn Heights

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## Personnel Policies, Guidelines & Procedures



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# Human Resources

- **Benefits**  
*Health, Dental, Vision, Life*
- **Job Postings**
- **Leave Usage**  
*Vacation, Sick, Personal Time Off*
- **Texas Municipal Retirement System**
- **Short-term/Long-term Disability**
- **Special Circumstances**  
*FMLA, Leave of Absence, COBRA*
- **Worker's Compensation**
- **457 and Other Retirement Options**
- **Accident/Injury/Illness Reporting**
- **Ethics Concerns/Violations**
- **Policy Guidelines**
- **Training & Professional Development**
- **Certifications & Accreditations**
- **General Questions & Concerns**



The Human Resources Department serves as a support system for all City employees and managers.

It is responsible for policy development, managing the City's compensation and benefit plans, performance management, recruitment and staffing, employee wellness, special programs, and maintaining compliance with federal and state employment laws.

Human Resources serves as an advocate for employees and partners with management to ensure compliance with City guidelines and policies.

## Questions? Contact HR...

Human Resources  
1938 S. Hampton Rd.  
972-223-1690 ext. 206  
HR@GlennHeights.com

The City of Glenn Heights is an Equal Opportunity Employer.

## Important Numbers Regarding Personnel Administration

Department of Labor	1-866-4-USA-DOL	<a href="http://www.DOL.gov">www.DOL.gov</a>
Department of Veterans Affairs	1-800-827-1000	<a href="http://www.VA.gov">www.VA.gov</a>
Equal Employment Opportunity Commission	1-800-669-4000	<a href="http://www.EEOC.gov">www.EEOC.gov</a>
Texas Attorney General	1-800-252-8011	<a href="http://www.OAG.State.TX.US">www.OAG.State.TX.US</a>
Texas Municipal Retirement System	1-800-924-8677	<a href="http://www.TMRS.com">www.TMRS.com</a>
Texas Workforce Commission	1-800-832-2829	<a href="http://www.TWC.State.TX.US">www.TWC.State.TX.US</a>

## Table of Contents

<b>Section One</b>	<b>Introduction</b>	<b>Page</b>
1.0	Ordinance	10
1.1	Statement of At-Will Employment	10
1.2	Equal Employment Opportunity	10
1.3	Objectives & Applicability	10
1.4	Penalty	11
1.5	Departmental Policies & Standard Operating Procedures	11
<b>Section Two</b>	<b>City Overview</b>	
2.0	Glenn Heights City Government	11
2.1	City Administration	11
2.2	Home Rule Charter	12
2.3	Employee's Role in Achieving the City's Strategic Plan	12
<b>Section Three</b>	<b>Federal, State and City Regulatory Guidelines</b>	
3.0	Age Discrimination in Employment Act (ADEA)	12
3.2	Consolidated Omnibus Budget Reconciliation Act (COBRA)	13
3.3	Consumer Credit Protection Act	14
3.4	Equal Pay Act	14
3.5	Fair Labor Standards Act (FLSA)	14
3.6	Family and Medical Leave Act (FMLA)	14
3.7	Harassment and Discrimination	15
3.8	Health Insurance Portability and Accountability Act (HIPAA)	21
3.9	Immigration Reform and Control Act	22
3.10	Recordkeeping Guidelines	22
3.11	Title VII of the Civil Rights Act of 1964	30
3.12	Uniform Guidelines on Employee Selection Procedures	30
3.13	Uniformed Services Employment and Reemployment Rights Act (USERRA)	31
<b>Section Four</b>	<b>Workforce Planning and Employment</b>	
4.0	Age Requirements	31
4.1	Anticipated Job Vacancies	31
4.2	Appointments	32
4.3	Attendance/Notifications	32
4.4	Dress Code and Appearance	32
4.5	Freeze on Hiring	33
4.6	Personal Information	33
4.7	Position Establishment/Job Audits/Reclassification	33
4.8	Pre-employment Screenings	34
4.9	Probationary Period	34
4.10	Working Hours	35
4.11	Re-hires and Adjusted Hire Dates	35

<b>Section Five</b>	<b>Human Resource Development, Training and Stewardship</b>	
5.0	City Manager's Advisory Committee (CMAC)	35
5.1	City-sponsored Events	35
5.2	Individual Development Plans	36
5.3	Professional Association Membership	36
<b>Section Six</b>	<b>Total Rewards</b>	
6.0	Bereavement Leave	36
6.1	Compensation and Benefits	37
6.2	Compensation Plan	37
6.3	Flex time/Alternate Work Schedules	37
6.4	Longevity Pay	38
6.5	Holiday Observance and Pay	39
6.6	Jury Duty and Court Leave	40
6.7	Military Leave	40
6.8	On-call/Engaged to Work	41
6.9	Overtime Usage and Reporting	41
6.10	Paychecks (Regular, Final)	42
6.11	Payroll Deductions	42
6.12	Personal Days	42
6.13	Relocation Assistance	43
6.14	Requesting Leave/Approval	43
6.15	Retirement and Texas Municipal Retirement System Participation	43
6.16	Sick Leave and Balance Management	44
6.17	Telecommuting	45
6.18	Time Reporting	47
6.19	Travel & Expenditures Reimbursement	47
6.20	Vacation Pay and Balance Management	48
6.21	Vehicle Allowance and Assignment	49
6.22	Workweek	50
6.23	Transfer of Sick Leave for Catastrophic Illness	50
6.24	Attainment of Professional Certifications and Accreditations	51
6.26	Higher Pay Classification/Step Up Pay Policy	58
<b>Section Seven</b>	<b>Employee Relations</b>	
7.0	Administrative Leave/Suspension/Leave Without Pay	59
7.1	Chain of Command	59
7.2	Demotions	59
7.3	Final Authority	60
7.4	Nepotism	60
7.5	Payment of Personal Debts and Taxes	61
7.6	Performance Improvement Plan	61
7.7	Performance Management	62
7.8	Progressive Discipline & Appeal Process	63
7.9	Promotions	64
7.10	Resignations	64
7.11	Retention Efforts	64
7.12	Grievance Procedures	64
7.13	Status Change (PT/FT)	65

7.14	Terminations	66
7.15	Transfers	66
7.16	Work Standards	66
7.17	Workplace Relationships	66
7.18	Involuntary Separation	67

<b>Section Eight</b>	<b>Risk Management</b>
----------------------	------------------------

8.0	City Vehicle Accident Reporting	67
8.1	Drug & Alcohol Abuse Policy	68
8.2	Workplace Injury, Illness and Near Miss Reporting	72
8.3	Property/Liability Reporting	72
8.4	Temporary Salary Continuation for Workplace Injuries and Illnesses	73
8.5	Use of City Vehicles & Equipment	73
8.6	Vehicle Operator's License, Screening and Training Requirements	73
8.7	Worker's Compensation	73
8.8	Workplace Violence	75

<b>Section Nine</b>	<b>Safety</b>
---------------------	---------------

9.0	Employee Vaccinations & Blood borne Illness Prevention	76
9.1	Safety Guidelines & Responsibilities	79

<b>Section Ten</b>	<b>Code of Conduct and Ethics</b>
--------------------	-----------------------------------

10.0	Ethics	82
10.1	Conflict of Interest	83
10.2	Gifts	83
10.3	Outside Activities	84
10.4	Political Activity	84
10.5	Public Relations and Media	85
10.6	Relations with Council	86
10.7	Rules of Conduct	86
10.8	Solicitations	89

<b>Section Eleven</b>	<b>Additional Guidelines</b>
-----------------------	------------------------------

11.0	Catastrophic Event	89
11.1	Computer, Internet, E-mail and Other Communication and Technology Resources Guidelines	90
11.2	Inclement Weather	91

<b>Appendix</b>
-----------------

Reference	94
Forms	96
Acknowledgement of Receipt	97



## Preface

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The purpose of this handbook is to provide a detailed outline of the laws, regulations, policies, procedures and guidelines that govern human resources (employees) within the City of Glenn Heights. Through systematic application, the City wishes to promote uniformity in the ways in which this handbook is interpreted and applied.

All employees should read, understand and comply with all provisions of the handbook. If an employee has any questions concerning the handbook, or the guidelines provided herein, he or she may direct questions to Human Resources.

<b>Section One</b>	<b>Introduction</b>
<b>1.0</b>	<p><b>Ordinance</b></p> <p>This handbook has been adopted by ordinance O-06-10 on June 7, 2010 and upon its enactment and effective date shall repeal all conflicting ordinances relative to personnel.</p> <p>A current copy of the ordinance and related documents can be obtained from the City Secretary.</p>
<b>1.1</b>	<p><b>Statement of At-Will Employment</b></p> <p>Employment with the City of Glenn Heights is on an at-will basis. The employee may resign and the City may terminate the employee at any time, for any reason or for no reason. The provisions of this handbook are not intended to create a contract of employment, and no agreement or promises regarding an employee's terms or conditions of employment are binding on the City. No contrary verbal representation or statement or an employee's terms and conditions of employment are binding upon the City.</p>
<b>1.2</b>	<p><b>Equal Employment Opportunity</b></p> <p>It is the policy of the City of Glenn Heights to implement affirmatively equal opportunity for all employees and applicants for employment without regard to race, creed, color, sex, age, national origin, marital status, physical disability or any non-merit factors. Positive action shall be taken to ensure the fulfillment of this policy including but not limited to the following personnel actions: hiring, placement, promotion, transfer, demotion, recruitment, advertising, solicitation for employment, training, compensation, lay-offs, terminations, treatment during employment or any other related action.</p> <p>The policy of the City is consistent with the requirements and objectives set forth under all state and federal laws governing all employment matters. This policy is consistent with the objective to obtain, without discrimination, individuals qualified based solely on merit for the positions for which they are selected.</p>
<b>1.3</b>	<p><b>Objectives &amp; Applicability</b></p> <p>The policies contained in this handbook are established by the City Council. No handbook can encompass every law, regulation, or personnel issue. The City reserves the authority to modify, revoke, interpret or terminate any or all of the policies specified in this Handbook, in whole or in part, at any time, with or without notice.</p> <p>The issuance of this Handbook does not constitute an express or implied contract between the City and its employees. City supervisory personnel shall not make any representation to employees or applicants concerning the</p>

terms or conditions of employment with the City that are not consistent with this Handbook.

#### **1.4 Penalty**

An employee who fails to comply with this handbook, related policies, procedures or applicable law, City Charter, or departmental rules and regulations or who violates one or more of the rules of conduct set forth herein is subject to disciplinary action, up to and including termination.

All disciplinary action taken and any appeal from the disciplinary action must be in conformance with the procedures established herein.

#### **1.5 Departmental Policies & Standard Operating Procedures**

Due to the variety of services performed by the City, it may be necessary for individual departments to establish codes of conduct, rules, regulations, policies and procedures related to their specific departmental responsibilities. All such departmental rules and policies must be approved by the City Manager, shall not conflict with the policies of this handbook, may be more restrictive but not less restrictive than what this handbook provides.

### **Section Two City Overview**

#### **2.0 Glenn Heights City Government**

The City of Glenn Heights operates under the "Council-Manager" form of government. All the powers of the City are vested in and exercised by an elective City Council, which enacts legislation, adopts budgets, determines policies, appoints the City Attorney, the Municipal Court Judge and the City Manager who shall execute the laws and administer the government of the City.

The Council is composed of a Mayor and six councilpersons, each of whom serve for three years. The members of the City Council of Glenn Heights shall only be elective offices of the City and shall run for office by place and be elected from the City at-large for a period of three years or until their successors are duly elected and qualified.

#### **2.1 City Administration**

The City Manager is the chief administrator and executive officer of the City of Glenn Heights. With the exception of matters reserved to the City Council, the final authority for any personnel matters rest with the City Manager, who may delegate it as necessary and proper.

The Human Resource Department represents the City Manager regarding routine administration of all Human Resource Rules and Regulations. Department Heads and Supervisors are responsible for proper and effective administration of these rules and regulations within their respective departments. Their jobs are specialized and each Department Head is

responsible for a specific service which the City provides. Managers and Supervisors manage the day-to-day operations within the department under direction from their respective Department Head(s).

## **2.2 Home Rule Charter**

The City operates under a Home Rule Charter which outlines the responsibilities, processes, and guidelines for all operations within the City. All employees are encouraged to become familiar with the provisions outlined in the Charter, especially those that apply directly to departmental procedures. A copy of the current Home Rule Charter can be obtained from your manager or the City Secretary.

## **2.3 Employee's Role in Achieving the City's Strategic Plan**

Through the City's Strategic Plan, continuous evaluation occurs in the areas of customer service delivery and accountability, internal organizational strengths, weaknesses, challenges and opportunities.

The following City-wide strategic goals have been established

1. Neighborhood Vitality
2. Public Safety and Emergency Preparedness
3. Economic Development
4. Infrastructure Sustainability
5. City Council and Staff Accountability
6. Customer Service, Communication and Involvement
7. Fiscal Accountability and Integrity
8. Technology
9. Education Advocacy
10. Recreation, Arts and Culture
11. Environmental, Health and Human Services

As an employee, you should be familiar with the strategic goals of the City and how your role impacts the City's overall achievement of the Strategic Plan. A copy of the plan in its entirety can be obtained from the City Manager's Office.

## **Section Three Federal, State and City Regulatory Guidelines**

The following is an overview of regulatory guidelines that govern employment with the City of Glenn Heights. Regulations governing employment changes frequently. It is the responsibility of Human Resources through the City Manager to ensure the City's compliance with these and all other applicable regulations as it pertains to employment practices.

## **3.0 Age Discrimination in Employment Act (ADEA)**

The Age Discrimination in Employment Act of 1967 prohibits employment discrimination against persons 40 years of age or older in the United States in the following...

- Discrimination in hiring, promotions, wages, or firing/layoffs
- Statements or specifications in job notices or advertisements of age preference and limitations
- Denial of benefits to older employees

### 3.1

#### **Americans with Disabilities Act (ADA)**

The Americans with Disabilities Act of 1990 prohibits, under certain circumstances, discrimination based on disability. Disability is defined as "a physical or mental impairment that substantially limits a major life activity." Certain specific conditions are excluded as disabilities, such as current substance abuse and visual impairment which is correctable by prescription lenses. Employers are required to make reasonable accommodations to the known physical or mental limitations of disabled employees. ADA applies to the following employment conditions...

- Job application procedures, hiring, advancement and discharge of employees
- Workers' compensation
- Job training
- Other terms, conditions, and privileges of employment
- Accessibility to all programs and services offered to employees

### 3.2

#### **Consolidated Omnibus Budget Reconciliation Act (COBRA)**

The Consolidated Omnibus Budget Reconciliation Act of 1985, or COBRA, is a law that gives some employees the ability to continue health insurance coverage after leaving employment.

An employee and/or their dependants may also be eligible for COBRA in the event of a qualifying event such as...

- The death of the covered employee
- An employee losing eligibility for coverage due to involuntary termination or a reduction in hours as a result of resignation, discharge (except for "gross misconduct"), layoff, strike or lockout, medical leave, or slowdown in business operations
- Divorce or legal separation that terminates the ex-spouse's eligibility for benefits
- A dependent child reaching the age at which he or she is no longer covered.
- Caring for an injured military serviceman.

COBRA does not require the employer to pay for the cost of providing continuation coverage.

### **3.3 Consumer Credit Protection Act**

The C.C.P.A protects employees from discharge by their employers because their wages have been garnished for any one debt, and it limits the amount of an employee's earnings that may be garnished in any one week. If a State wage garnishment law differs from the C.C.P.A, the employer must observe the law resulting in the smaller garnishment.

### **3.4 Equal Pay Act**

The Equal Pay Act of 1963 prohibits wage differentials based on gender for equal work which requires equal skill, effort, and responsibility, and are performed under similar working conditions.

### **3.5 Fair Labor Standards Act (FLSA)**

The Fair Labor Standards Act of 1938 established a national minimum wage, guaranteed time and a half for overtime in certain jobs, and prohibited most employment of minors in "oppressive child labor."

There are many provisions associated with FLSA that govern wages and hours worked by employees.

### **3.6 Family and Medical Leave Act (FMLA)**

The Family and Medical Leave Act of 1993 allows an employee to take job-protected unpaid leave due to a serious health condition that makes the employee unable to perform his or her job, to care for a sick immediate family member (spouse, child, parent), or to care for a new child (including by birth, adoption or foster care.)

In 2008, FMLA was amended to also include Military Family Leave which provides two new leave entitlements:

1) Military Caregiver Leave (also known as Covered Service Member Leave): provides eligible employees who are family members of covered service members up to 26 weeks of leave in a "single 12-month period" to care for a covered service member with a serious illness or injury incurred in the line of duty on active duty.

This provision also extends FMLA protection to additional family members (spouse, son, daughter, parent, or next of kin) beyond those who may take FMLA leave for other qualifying reasons.

2) Qualifying Exigency Leave: provides leave to families of members of the National Guard and Reserves to manage their affairs while the member is on active duty in support of a contingency operation. This provision makes the normal 12 workweeks of FMLA job-protected leave available to eligible employees with a covered military member serving in the National Guard or Reserves to use for "any qualifying exigency" arising out of the fact that a

covered military member is on active duty or called to active duty status in support of a contingency operation. Typical circumstances include (1) Short-notice deployment; (2) Military events and related activities; (3) Childcare and school activities; (4) Financial and legal arrangements; (5) Counseling; (6) Rest and recuperation; (7) Post-deployment activities; and (8) Additional activities not encompassed in the other categories, but agreed to by the employer and employee.

The FMLA further guarantees the following rights to eligible workers:

- Restoration to the same position upon return to work. If the same position is unavailable, the employer must provide the worker with a position that is substantially equal in pay, benefits, and responsibility
- Protection of employee benefits while on leave. An employee is entitled to reinstatement of all benefits to which the employee was entitled before going on leave
- Protection of the employee to not have their rights under the Act interfered with or denied by an employer
- Protection of the employee from retaliation by an employer for exercising rights under the Act

The federal FMLA does not cover:

- Workers in businesses with fewer than 50 employees (this threshold does not apply to public agency employers and local educational agencies)
- Part-time workers
- Workers in the airline industry (because of the way their industry calculates work hours)
- Workers who need time off to care for seriously ill domestic partners, children of domestic partners or seriously ill elderly relatives
- Workers who need time off to recover from short-term or common illness like a cold, or to care for a family member with a short-term illness
- Workers who need time off for routine medical care, such as check-ups

Contact Human Resources for specific instructions on requesting FMLA leave.

### 3.7

#### **Harassment and Discrimination**

The City has zero tolerance for any conduct that is deemed as harassing or discriminatory. Individuals found to have engaged in harassing, discriminatory, or retaliatory conduct in violation of this Policy will be subject to disciplinary action up to and including termination. A single act that violates this policy is a qualifying event.

Harassment or discrimination against an applicant or employee by a supervisor, management employee, co-worker, contractor, or elected official on the basis of race, religion, color, sex, gender identity, sexual orientation (including heterosexuality, homosexuality and bisexuality), national origin, ancestry, citizenship status, uniformed service member status, marital status, pregnancy, age, medical condition, and physical or mental disability will not be tolerated.

This Policy also prohibits retaliation against a person for filing a complaint or participating in the complaint resolution process related to a harassment or discrimination claim.

This Policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, compensation, and training.

This Policy prohibits all City officials, officers, employees, and contractors from harassing or discriminating against applicants, officers, officials, employees, and contractors because: (1) of an individual's protected classification, (2) of the perception that an individual has a protected classification, or (3) the individual associates with a person who has or is perceived to have a protected classification.

#### Definitions

**Discrimination** is defined as treating individuals differently because of the individual's protected classification as defined by this Policy.

**Harassment** is defined as unsolicited words or conduct which subjectively and objectively offend another person. Harassment includes, but is not limited to, the following examples of behavior undertaken because of an individual's protected classification:

- Verbal harassment, such as epithets (nicknames and slang terms), derogatory or suggestive comments, propositioning, jokes or slurs, including graphic verbal commentaries about an individual's body, or that identify a person on the basis of his or her protected classification. Verbal harassment includes comments on appearance and stories that tend to disparage those of a protected classification.
- Visual forms of harassment, such as derogatory posters, notices, bulletins, cartoons, drawings, sexually suggestive objects, or e-mails related to a protected classification.
- Physical harassment, such as assault, touching, impeding or blocking movement, grabbing, patting, leering, making express or implied job-



related threats in return for submission to physical acts, mimicking, taunting, or any physical interference with normal work or movement.

- Sexual harassment, such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature or any of the above described conduct when:
  - Submission to such conduct is either an expressed or implied term or condition of an individual's employment, or
  - Submission to or rejection of such conduct is used as the basis for employment decisions affecting such individual, or
  - Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating a hostile, intimidating or offensive work environment.

**Retaliation** is defined as any adverse conduct taken because an individual has reported harassment or discrimination, or has participated in the complaint and investigation process described herein.

#### Guidelines for Identifying Harassing Behavior

- Understand what constitutes a hostile work environment. You may be experiencing harassment or discrimination if you feel uncomfortable at work because others make unwanted comments or take unwanted actions based on your legally protected characteristics, such as age, religion, race, gender, sexual orientation and disability.
- Know that you can be the victim of workplace harassment even if you are not the perpetrator's intended target. If you overhear harassing comments or witness harassing behavior that you find offensive, you may be experiencing workplace harassment.
- Become aware of what legally qualifies as sexual harassment. Examples of workplace sexual harassment include, but are not limited to, inappropriate staring, unwanted comments about appearance, making sexual gestures, telling sexually explicit jokes, and displaying or distributing lewd materials.
- Learn what constitutes non-sexual workplace harassment and discrimination. It is illegal to make jokes, display or distribute materials, perpetuate stereotypes, make derogatory or threatening comments, or take personnel action based on an individual or groups with legally protected characteristics.

- Although anybody, including vendors and other third parties, can create a hostile work environment, only those with supervisory positions can commit workplace harassment that results in a tangible change in employment status. A manager cannot take any action against an employee, such as hiring, firing, demotion or transfer, based on protected characteristics or failure to submit to requests based on harassment or discrimination.
- Draw the line when appropriate. Although it is legal, within certain parameters, to compliment coworkers and to display personal materials in the workplace, it's better to be safe than sorry. For example, while it's legal to ask a coworker for a romantic date, repeated unwanted requests and advancements can constitute harassment.
- Distinguish unwanted actions from consensual behavior. Workplace harassment, by definition, must be unwanted on the part of the target. In order for harassment to constitute a hostile work environment, it must be pervasive and offensive from an objective standpoint. If you feel that you are being harassed, make it clear right away that the comments, actions, or advances are unwanted.

### Complaint Procedure

An applicant, employee, officer, official, or contractor who feels he or she has been harassed, discriminated against or retaliated against in violation of this Policy should report the conduct immediately to their supervisor and/or Human Resources.

All employees involved in the complaint process may be represented by a person of their choosing and at their own expense.

### Filing a Complaint

Any employee, job applicant, or contractor who believes he or she has been harassed, discriminated against, or retaliated against may make a complaint verbally or in writing to any supervisor or manager. There is no need to follow the chain of command, especially in instances where the immediate supervisor may be identified as the harasser.

Any supervisor or Department Head who receives a harassment, discrimination, or retaliation complaint must notify the Director of Human Resources immediately.

### City's Response to a Complaint

Upon receipt of a complaint of alleged harassment, discrimination, or retaliation, the Director of Human Resources will be responsible for coordinating a thorough investigation (unless he/she is named in the complaint).

The Director of Human Resources may coordinate the investigation with the complainant's Department Head and may hire an outside investigator if the City deems appropriate. The type of investigation undertaken, and the party chosen to conduct the investigation, will depend on the nature of the complaint made and will be determined by the Director of Human Resources in conjunction with the City Manager.

The City will take reasonable steps to protect the complainant from further harassment, discrimination, or retaliation. The City will also take reasonable steps to protect the complainant from retaliation as a result of communicating the complaint.

The Director of Human Resources, in concurrence with the City Manager, may take interim action to diffuse volatile circumstances, such as placing the alleged perpetrator on paid administrative leave or temporarily transferring the alleged perpetrator. Generally, no interim action should be taken to change the complaining individual's working conditions unless the complaining individual voluntarily consents to the temporary change.

The City takes a proactive approach to potential Policy violations and will conduct an investigation if its officers, supervisors, or managers become aware that harassment, discrimination or retaliation may be occurring, regardless of whether or not the recipient of the alleged action or a third party reports a potential violation.

#### Duties of the Investigator

The investigator will review the complaint allegations in an objective manner and to the extent that the City deems necessary. The investigation will normally include interviews with the reporting individual, the accused, and any other person who is believed to have relevant knowledge concerning the allegations. The investigator will remind all witnesses to maintain the confidentiality of the interview and that retaliation against those who report alleged harassment or who participate in the investigation is prohibited.

#### Remedial and Disciplinary Action

If the investigation determines that the alleged conduct occurred and that the conduct violated this Policy, the City will notify the complainant and perpetrator of the general conclusion(s) of the investigation and take effective remedial action that is designed to end the violation(s).

Any employee or officer determined to have violated this Policy will be subject to disciplinary action, up to and including termination. Disciplinary action may also be taken against any official, supervisor or manager who condones or ignores potential violations of this Policy, or who otherwise fails

to take appropriate action to enforce this Policy. Any official or contractor found to have violated this Policy will be subject to appropriate sanctions.

#### Closure

At the conclusion, the Director of Human Resources will notify the complainant in general terms of the outcome of the investigation.

#### Confidentiality

Every possible effort will be made to assure the confidentiality of complaints made under this Policy. Complete confidentiality cannot occur, however, due to the need to fully investigate potential Policy violations and take effective remedial action. An individual who is interviewed during the course of an investigation is prohibited from discussing the substance of the interview, except as otherwise directed by a supervisor or the Director of Human Resources. Any individual who discusses the content of an investigatory interview will be subject to discipline or other appropriate sanction.

The City will not disclose a completed investigation report except as it deems necessary to support a disciplinary action, to take remedial action, to defend itself in adversarial proceedings, or to comply with the law or a court order.

#### Option to Report to Outside Administrative Agencies

An individual has the option to report harassment, discrimination, or retaliation to the U.S. Equal Employment Opportunity Commission (EEOC).

#### Responsibilities

##### Employees...

In order to establish and maintain a professional working environment, while at the same time preventing harassment, discrimination, and retaliation, all employees are expected to:

- Set an example of acceptable conduct by not participating in or provoking behavior that violates this Policy. Employees are expected to treat others with respect and consideration and should model appropriate behavior.
- Report harassment, discrimination, or retaliation as quickly as possible, whether the employee is the target of the conduct or a witness.
- If an employee witnesses harassment, he or she should tell the individual being harassed that the City has a policy prohibiting such behavior, and that he or she can demand that the harasser cease the behavior.
- Maintain confidentiality as required by this Policy.

- Participate in periodic training.
- Fully cooperate with the City's investigation of complaints made under this Policy, including responding fully and truthfully to all questions posed during an investigation.

#### Managers and Supervisors...

In addition to the responsibilities listed above, managers and supervisors are responsible for the following:

- Implementing this Policy by taking all complaints seriously and modeling behavior that is consistent with this Policy.
- Directing all complaints of harassment, discrimination, or retaliation to the Director of Human Resources.
- Reporting potential violations of this Policy of which he or she becomes aware, regardless of whether a complaint has been submitted, to the Director of Human Resources.
- Taking positive steps to eliminate any form of harassment, discrimination, or retaliation observed or brought to his/her attention.
- Making sure no department director, supervisor, or other employee retaliates through any action of intimidation, restraint, coercion, or discrimination.
- Monitoring the work environment and taking appropriate action to stop potential Policy violations.
- Following up with those who have complained to ensure the behavior complained of has ceased.
- Implementing appropriate disciplinary and remedial actions. (i.e. assisting, advising, or consulting with employees and Human Resources.)
- Informing complainants of their option to contact the EEOC regarding a potential Policy violation.

#### Mandatory Training

As part of its commitment to ensuring a work environment free from harassment and discrimination, the City requires that all of its employees receive training on this Policy at least once every two years. The Director of Human Resources will schedule multiple training sessions every year to ensure that employees are able to attend the mandatory training. Attendance at the training will be documented.

### 3.8

#### **Health Insurance Portability and Accountability Act (HIPAA)**

The Health Insurance Portability and Accountability Act was enacted by the U.S. Congress in 1996. Title I of HIPAA protects health insurance coverage

for workers and their families when they change or lose their jobs. It also has provisions that address the security and privacy of health data.

### **3.9 Immigration Reform and Control Act**

The Immigration Reform and Control Act of 1986 makes it illegal to knowingly hire or recruit illegal immigrants (immigrants who do not possess lawful work authorization), requires employers to attest to their employees' immigration status, and grants amnesty to certain illegal immigrants who entered the United States before January 1, 1982.

The City of Glenn Heights requires all new employees to complete Form I-9, Employment Eligibility Verification and provide required documents such as driver's license and social security card as proof of a legal right to work in the United States.

The Director of Human Resources may require periodic audits of personnel files in which employees may be asked to verify required documentation.

### **3.10 Recordkeeping Guidelines**

#### **Personnel Records Disclosure**

The City of Glenn Heights is subject to laws and guidelines governing Open Government. Certain personal information must be disclosed to third parties upon request and may be disclosed without the knowledge and consent of the subject employee. This information includes:

- employee's position title
- employee's job classification title
- dates of employment
- salary
- eligibility for re-hire with the City

Other personal information may be disclosed to third parties without the written consent of the subject employee under certain circumstances as required by law.

Direct or potential managers may have access to employee records without the consent of the employee for making decisions for transfer, personnel action, or any other issue related to employment as deemed necessary by the Director of Human Resources.

#### **Personnel Records Retention Schedule**

The City of Glenn Heights maintains personnel records in accordance with the Texas State Library and Archives Commission (TSLAC) according to the following guidelines or most current governing guidelines as established by TSLAC.

**1050-01 Affirmative Action Plans**

a) Reports, analyses, and statistical data compiled from source documentation used to develop, implement, and monitor affirmative action plans. RETENTION: 5 years. [By regulation - 29 CFR 30.8(e).]

b) Affirmative action plans. RETENTION: Until superseded + 5 years. [By regulation - 29 CFR 30.8(e).]

**1050-02 Aptitude and Skills Test Records** - Records relating to aptitude or skills tests required of job applicants or of current personnel to qualify for promotion or transfer, including civil service examinations.

a) Validation studies. RETENTION: Life of test + 2 years.

b) Tests. RETENTION: Until superseded + 2 years. [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

**Retention Note:** One copy of each different test (different in terms of either questions or administration procedures) should be retained for the period indicated.

c) Test papers of persons taking tests. RETENTION: 2 years. [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

d) Records, other than those noted (a)-(c), relating to the planning and administration of tests. RETENTION: 3 years.

**1050-03 Awards and Commendations.** RETENTION: Date of separation + 5 years.

**1050-04 Certificates and Licenses** - Certificates, licenses, or permits required of employees to qualify for or remain eligible to hold a position requiring certification or licensing. RETENTION: Until superseded or separation of employee + 5 years.

**Retention Note:** If the submission of copies of certificates, licenses, or permits is required of all applicants for a position, those of applicants not hired must be retained for 2 years under item number 1050-14.

**1050-05 Conflict of Interest Affidavits.** RETENTION: 5 years after leaving position for which the affidavit was filed.

**1050-06 Counseling Program Files**

a) Reports of interviews, analyses, and similar records relating to the counseling of an employee for work-related, personal, or substance abuse problems. RETENTION: 3 years after termination of counseling.

b) Records relating to the planning, coordination, implementation, direction, and evaluation of a employee counseling program. RETENTION: 3 years.

**1050-07 Disciplinary and Adverse Action Records** - Records created by civil service boards or by personnel or supervisory officers in considering, or reconsidering on appeal, an adverse action (e.g., demotion, probation, termination, suspension, leave without pay) against an employee, including, as applicable, witness and employee statements, interview reports, exhibits, reports of findings, and decisions and judgments. RETENTION: 2 years after case closed or action taken, as applicable. [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

**1050-08 Employee Pension and Benefits Records** [for records of pension and deferred compensation deductions from payroll see 1050-52(b)].

a) Employee benefit plans such as pension; life, health, and disability insurance; seniority and merit systems; and deferred compensation plans, including amendments. RETENTION: Termination of plan + 1 year. [By regulation - 29 CFR 1627.3(b)(2).]

**Retention Note:** If the plan or system is not in writing, a memorandum fully outlining the terms of the plan or system and the manner in which it has been communicated to affected employees, together with notations relating to any changes or revisions, must be retained for the same period as written plans.

b) Enrollment forms providing personal identifying data, beneficiary information, option selection, and similar information.

1.If the official record is maintained by the retirement system of which the local government is a member or by the service provider. RETENTION: AV. (Exempt from destruction request requirement)

2.If the official record is maintained by the local government.

A) Pension and deferred compensation. RETENTION: PERMANENT.

B) Life, health, and disability insurance. RETENTION: Termination of coverage + 4 years.

c) Annual reports from a pension system or fund. RETENTION: PERMANENT.



**1050-09** Employee Recognition Records - Award committee reports, selection criteria, nominations, and similar administrative records of employee award or incentive programs. RETENTION: 2 years.

**1050-10** Employee Security Records

a) Records created to control and monitor the issuance of keys, identification cards, passes, or similar instruments of identification and access. RETENTION: Until superseded, date of expiration, or date of separation + 2 years, as applicable.

b) Records relating to the issuance of parking permits. RETENTION: Until superseded. (Exempt from destruction request requirement)

**1050-11** Employee Selection Records - Notes of interviews with candidates; audio and videotapes of job interviews; applicant rosters; eligibility lists; test ranking sheets; justification statements for violating eligibility or ranking sequence; background, criminal history, and previous injury checks; polygraph examination results; offers of employment letters; and similar records documenting the filling of a vacant position. RETENTION: 2 years from the creation (or receipt) of the record or the personnel action involved, whichever later. [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

**1050-12** Employee Service Record - Summary employment history record for each employee maintained on one or more forms, containing the following minimum information: name; sex; date of birth; social security number; positions held with dates of hire, promotion, transfer, or demotion; dates of leaves of absence or suspension that affect computation of length of service; wage or salary rate for each position held, including step or merit increases within grades; and date of separation. [For other information on employees that must also be retained permanently either as part of this record or in another form, see item numbers 1050-52(b) and 1050-54(a)]. RETENTION: PERMANENT.

**Retention Notes:** a) This schedule does not require the creation of an employee service record of the type described, but the creation of the record is strongly recommended to allow frequent disposal of documents from which information has been summarized. If an employee service record is not maintained, documents (e.g., employment applications, personnel action forms) containing the prescribed information must be retained permanently. More than one document providing the same element of required information need not be retained.

c) Salary or wage data on an employee service record may be indicated by grade and step numbers if all corresponding wage rate tables (see item number 1050-59) applicable to a person's employment history are retained permanently.

**1050-13** Employment Advertisements or Announcements - Advertisements or postings relating to job openings, promotions, training programs, or

overtime opportunities, including jobs orders submitted to employment agencies. RETENTION: 2 years. [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

**1050-14** Employment Applications - Applications, transcripts, letters of reference, and similar documents whose submission by candidates for vacant positions (both hired and not hired) or for promotion, transfer, or training opportunity (both selected and not selected) is required on the application form, by application procedures, or in the employment advertisement. RETENTION: 2 years from the creation (or receipt) of the record or the personnel action involved, whichever later, except the following: [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

a) Samples of publications, artwork, or other products of prior achievement not returned to applicants. RETENTION: AV. (Exempt from destruction request requirement)

b) Transcripts of persons hired if state or federal law or regulation mandates a level of education needed to qualify for employment (e.g., school district professional and paraprofessional personnel). See also item number 1050-28(a). RETENTION: Date of separation + 5 years.

**Retention Note:** If applicant screening or hiring decisions are based on resumes, with only successful or interviewed candidates completing employment applications, then resumes of persons not hired must be kept for the same period as employment applications. If resumes are supplemental to employment application forms, they need only be retained as long as administratively valuable.

**1050-15** Employment Contract/Collective Bargaining Records

a) Contracts and agreements, including collective bargaining agreements, between a local government and an employee or a group of employees, including written acceptances of such contracts. RETENTION: Last effective date of contract + 4 years.

b) Records relating to the negotiation of collective bargaining agreements or similar group contracts, including reports; correspondence; mediation or arbitration agreements; the proceedings, findings, and awards of arbitration boards; and similar records. RETENTION: Last effective date of contract + 4 years or, if no agreement or contract results, 4 years.

**1050-16** Equal Employment Opportunity

a) Reports, analyses, or statistical data compiled from source documentation used to complete EEO reports. RETENTION: 3 years. [By regulation - 29 CFR 1602.30, 1602.39, and 1602.48.]

b) EE0-1, EEO-4, EE0-5, and EE0-6 reports. RETENTION: 3 years. [By regulation - 29 CFR 1602.32, 1602.41; and 1602.50.]

c) Case files relating to discrimination complaints, including complaints, legal and investigative documents, exhibits, related correspondence, withdrawal notices, and decisions or judgments. RETENTION: Resolution of case + 3 years.

**1050-17 Equal Pay Records** - Reports, studies, aggregated or summarized data, and similar documentation compiled to monitor and demonstrate compliance with the Equal Pay Act. RETENTION: 2 years. [By regulation - 29 CFR 1620.32(c).]

**1050-18 Fidelity Bonds.** RETENTION: Effective life of bond + 5 years.

**Retention Note:** Does not include the Official Bond Record maintained by county clerks, which must be retained permanently.

**1050-19 Fingerprint Cards.** RETENTION: Date of separation + 5 years.

**Retention Note:** If fingerprint cards are created for all applicants for a position, those of persons not hired must be retained 2 years under item number 1050-14.

**1050-20 Grievance Records** - Records relating to the review of employee grievances against personnel policies, working conditions, etc. RETENTION: 2 years.

**Retention Note:** Do not confuse these records with those involving EEO complaints [see item number 1050-16(c)].

**1050-21 Job Evaluations (Performance Appraisals)**

b) Evaluations of all other local government employees. RETENTION: Until superseded + 2 years. [By regulation - 29 CFR 1620.32(c).]

**1050-22 Medical and Exposure Reports**

a) Health or physical examination reports or certificates of all job applicants if physical condition is a factor in hiring decisions, including the promotion, transfer or selection for training of current personnel. RETENTION: 2 years. [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

b) Health or physical examination reports or certificates of employees for whom periodic monitoring of health or fitness is required.

\*1. For employees exposed in the course of their work to toxic substances, harmful physical agents, or blood borne pathogens. RETENTION: Date of

separation + 30 years. [By regulation - 29 CFR 1910.20(d)(1)(i) and 1910-1030(h)(1)(iv).]

2. For all other employees. RETENTION: Until superseded + 2 years.

c) Environmental, biological, and material safety monitoring reports concerning toxic substances and harmful physical agents in the workplace, including analyses derived from such reports. RETENTION: 30 years. [By regulation - 29 CFR 1910.20(d)(1)(ii).]

**1050-23** Oaths of Office. RETENTION: Until superseded + 5 years; or, 5 years after leaving position for which oath required, whichever applicable.

**1050-24** Personnel Action or Information Notices - Documents used by personnel officers to create or change information in the personnel records of individual employees concerning hiring, termination, transfer, pay grade, position or job title, leaves of absence, name changes, and similar personnel actions except those noted elsewhere in this part. RETENTION: 2 years. [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

**1050-25** Personnel Studies and Surveys - Studies, statistical reports, surveys, cost analyses and projections, and similar records, except those noted elsewhere in this part, on any aspect of the personnel management or administration of a local government. RETENTION: 3 years.

**Retention Note:** Review before disposal; some documents may merit permanent retention for historical reasons.

**1050-26** Position Description, Classification, and Staff Monitoring Records

a) Job descriptions, including any associated task or skill statements. RETENTION: Until superseded or position abolished + 4 years. [By regulation - 40 TAC 301.6(i).]

b) Documentation concerning the development and analysis of job descriptions and classification systems, including survey, review and audit reports; classification standards and guidelines; selection criteria, determination of classification appeals, etc., as follows:

1. Documents linked to a specific position. RETENTION: Dispose with job description under (a).

2. Survey, audit, or other reports issued on a regular basis. RETENTION: Until superseded + 4 years.

3. Other documentation not included in (b)(1) or (b)(2). RETENTION: PERMANENT.

c) Position staffing and vacancy reports. RETENTION: Until superseded. (Exempt from destruction request requirement)

d) Personnel requisitions. RETENTION: 2 years.

**1050-27** Reduction in Force Plans (including any related implementation documentation). RETENTION: Until superseded, or if implemented, 2 years from date of last RIF action under the plan.

**1050-28** Training and Educational Attainment Records (for other records relating to aptitude or skills tests required of job applicants or of current personnel to qualify for promotion or transfer see item number 1050-02).

a) Certificates of completion, transcripts, test scores, or similar records documenting the training, testing, or continuing education achievements of an employee if such training or testing is required for the position held or if the educational or skill attainment or enhancement affects or could affect career advancement in the local government or, in the case of licensed or certified personnel (e.g., school professionals, firefighters, police officers, health care professionals), in other governments or the private sector. RETENTION: Date of separation + 5 years.

**Retention Note:** If information concerning training or testing (e.g., test scores) is transferred to an Employee Service Record (item number 1050-12), the document from which the information is taken need be retained for only 2 years.

b) Records documenting the planning, development, implementation, administration and evaluation of in-house training programs. RETENTION: 3 years.

c) Training handbooks, syllabuses, course outlines, and similar training aids used in in-house training programs. RETENTION: Until superseded. (Exempt from destruction request requirement)

d) Skill or achievement measurement records of a training group or class as a whole (e.g., rosters with scores). RETENTION: 2 years.

**Retention Note:** If the only information documenting the in-house training of an employee of the types described in (a) is contained in the measurement records of a group or class as a whole, the group records must be retained for the date of separation + 5 years for all employees included in the group records.

**1050-29** Unemployment Compensation Claims Files - Unemployment claims, pertinent correspondence, and similar records documenting unemployment compensation cases. RETENTION: 5 years.

**1050-30** Verification of Employment Eligibility (INS Form I-9). RETENTION: 3 years from hire or 1 year after separation, whichever later. [By regulation - 8 CFR 474a.2(b)(2)(i)(A) and (c)(2).]

**Retention Note:** If a former employee is rehired and an INS Form I-9 is still on file for the employee, the 3 year retention period dates from date of first hire.

**1050-31** Work Schedules - Work, duty, shift, crew, or case schedules, rosters, or assignments except work schedules includable in item number 1050-56. RETENTION: 1 year. (Exempt from destruction request requirement)

**1050-32** Workers Compensation Claim Files - Initial and supplemental reports of accidents to or job-related illnesses of employees and documentation relating to any subsequent filing of claims by employees. RETENTION: 5 years. [By regulation - 29 CFR 1904.06 for accident and illness reports.]

### 3.11

#### **Title VII of the Civil Rights Act of 1964**

The Civil Rights Act of 1964 prohibits racial segregation in schools, public places, and employment.

Title VII of the Act prohibits discrimination by covered employers on the basis of race, color, religion, sex or national origin. It also prohibits discrimination against an individual because of his or her association with another individual of a particular race, color, religion, sex, or national origin. An employer cannot discriminate against a person because of his interracial association with another, such as by an interracial marriage.

In very narrow defined situations an employer is permitted to discriminate on the basis of a protected trait where the trait is a bona fide occupational qualification (BFOQ) reasonably necessary to the normal operation of that particular business or enterprise. The employer has the burden of proof when claiming BFOQ.

The Equal Employment Opportunity Commission (EEOC) as well as certain state fair employment practices agencies (FEPAs) enforce Title VII.

The City of Glenn Heights is an Equal Opportunity Employer and does not discriminate on the basis of race, color, religion, sex, natural origin or any other characteristic, trait or affiliation as protected by law.

### 3.12

#### **Uniform Guidelines on Employee Selection Procedures**

In US employment law, adverse impact, also known as disparate impact relates to laws that prohibit an employer from using a facially neutral

employment practice that has an unjustified adverse impact on members of a protected class.

A facially neutral employment practice is one that does not appear to be discriminatory on its face; rather it is one that is discriminatory in its application or effect.

In the Uniform Guidelines on Employee Selection Procedures, it is defined as a substantially different rate of selection in hiring, promotion, or other employment decision which works to the disadvantage of members of a race, sex, or ethnic group. A "substantially different" rate is typically using the 80% Rule, statistical significance tests, and/or practical significance tests.

Adverse impact is also known as an unintentional form of discrimination, which occurs when identical standards or procedures are applied to everyone, despite the fact that they lead to a substantial difference in employment outcomes for the members of a particular group and they are unrelated to success on a job.

Glenn Heights only requires pre-employment testing that is job related for the position and consistent with business necessity.

### **3.13 Uniformed Services Employment and Reemployment Rights Act (USERRA)**

The Uniformed Services Employment and Reemployment Rights Act of 1994 protects the civilian employment of non-full time military service members in the United States called to active duty. The law applies to all United States uniformed services and their respective reserve components.

See section 6.8 for further guidelines on Military Leave.

<b>Section Four</b>	<b>Workforce Planning and Employment</b>
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<b>4.0</b>	<b>Age Requirements</b>
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The minimum age for full-time and part-time permanent employment with the City is 18 for non-Fire and Police personnel. The minimum age requirement for full-time and part-time employment with the City for Police and Fire response personnel is 21.

Full-time and part-time temporary and/or interns must be at least 16 years of age and according to the State of Texas Child Labor Law, no "child" under the age of eighteen (18) shall be employed in hazardous positions that could be potentially detrimental to the child's safety, health, or well-being. All non-administrative office positions within the City will be categorized as hazardous for purposes of this section.

<b>4.1</b>	<b>Anticipated Job Vacancies</b>
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Department Heads shall notify the Human Resource Department of their anticipated job vacancies as far in advance as is reasonably possible to permit sufficient time for the selection of qualified candidates on an objective basis.

When a vacancy occurs, a job opening notice will be posted internally only for a period of five working days. During that five day period applications may be taken from current employees.

If no applications are received from City staff, the Director of Human Resources may consider applications already on file and/or publicly advertise the Vacancy by available means.

If deemed necessary, the Director of Human Resources may waive the five day internal posting period and seek external candidates immediately.

#### 4.2

##### **Appointments**

The appointment of all City Employees shall be subject to the approval of the City Manager, except where City ordinances or the City Charter provisions state otherwise. Appointments (after the orientation/training period provided herein) shall be classed as: 1) regular full-time, 2) regular part-time, 3) temporary full-time, 4) temporary part-time.

Employees who are classified as regular full-time shall receive all benefits as set forth herein. Those classed as regular part-time and who are regularly scheduled for duty a minimum of 1000 hours annually, shall receive active membership in the Texas Municipal Retirement System. Employees classed as temporary full-time or temporary part-time shall not be eligible for benefits and TMRS participation but shall be entitled only the appropriate salary for their hours of work.

#### 4.3

##### **Attendance/Notifications**

Employees are expected to report each work day at the designated time and place, unless there is a valid reason for absence. Employees should notify their supervisor or the Director of Human Resources on a daily basis no later than 30 minutes after their shift is scheduled to begin if they are unable to report as scheduled.

Police and Fire employees must contact their supervisor/department head three (3) hours prior to the beginning of their scheduled shift to ensure adequate shift coverage and service to citizens.

Exceptions may be granted for prolonged periods of illness or hospital confinement.

Following any absence of three days or more, employees may be required to provide a validated excuse for absence in the form of a doctor's note or related documentation.



Failure to provide documentation if requested may be cause for disciplinary action up to termination.

Employees who fail to notify their supervisor concerning absences may be placed on leave without pay status and/or may face disciplinary action. Emergency or unusual circumstances will be handled on a case-by-case basis.

#### **4.4 Dress Code and Appearance**

All employees are expected to wear appropriate business attire at all times. Employees should present a favorable personal appearance, and adhere to personal grooming and hygiene standards in the performance of their respective responsibilities. All employees shall avoid wearing clothing and accessories that would detract from the professional image of the City.

The City currently has a business casual dress code for non-Police and Fire personnel. The objective in establishing a business casual dress code is to allow employees to work comfortably in the workplace. Employees are still expected to project a professional image to citizens, vendors, and City partners. For example, clothing that works well for the beach, yard work, exercise sessions, and sports contests may not be appropriate for a professional appearance at work.

Clothing should be pressed and never wrinkled. Torn, dirty, or frayed clothing is unacceptable. All seams must be finished. Any clothing that has words, terms, or pictures that may be offensive to other employees is unacceptable. Clothing that has the company logo is encouraged.

The City has designated Friday as casual dress day. On these days, jeans and other more casual clothing, although never clothing potentially offensive to others, are allowed. Department Heads may designate days other than Friday as casual dress day for certain occasions.

Reasonable accommodations will be made for employees' medical conditions or religious beliefs consistent with business necessity to present a professional appearance to the public.

#### **4.5 Freeze on Hiring**

The City Manager, at any time, may place a freeze or halt on any and all vacant positions as deemed necessary. Any designated hiring freeze shall be communicated to employees at both its commencement and termination.

During a hiring freeze, no hiring, promotions or position reclassifications will be completed without the approval of the City Manager.

#### **4.6 Personal Information**

The City makes every effort to protect the private information of employees. Some information may be required to be released in accordance with guidelines governing Open Government and other applicable laws.

#### **4.7 Position Establishment/Job Audits/Reclassification**

Any newly created or modified positions, titles, or grades must be validated and approved by Council.

Current positions may be audited at any time either at the request of the employee, manager, Director of Human Resources, or City Manager. If it is determined that a position has been mis-classified by salary grade, duties performed, or required qualifications, the position may be reallocated to an existing salary class or by development of a new class where no existing class properly describes the job being performed.

In the event that a new position is recommended based on a job audit, the newly created position and salary class if applicable must be presented and approved by Council.

#### **4.8 Pre-employment Screenings**

Pre-employment screening will be used to screen prospective employees for criminal records or convictions, illegal drug use, and acceptable driving records where applicable which may place the City, citizens, or fellow employees at risk.

The City may also verify education, certification, and professional accreditation credentials as well as previous employment.

Decisions regarding results from such screenings will be conducted for all employees, interns, and volunteers and shall be fair, consistent, unbiased, transparent, free from nepotism and favoritism.

Police and Fire personnel may have to undergo additional screening requirements as outlined in Departmental operating procedures.

#### **4.9 Probationary Period**

A six month probationary period is required for your benefit, as well as the City's. The purpose of a probationary period is to allow a reasonable period of time for employees to adjust to new working conditions and job duties. The City uses this period to observe and evaluate the work of all newly appointed employees and encourage effective adjustment to the job and City service.

Police and Fire Departments may require an extended probationary or training period as outlined in departmental guidelines.

At the end of the probationary/training period, the new employee's performance will be reviewed by the Department Head. If the employee has not performed satisfactorily, the employee may be dismissed or have their probationary period extended for a period not to exceed three (3) additional months.

If the employee has met the required performance standards, he/she will become a regular employee of the City and shall receive a salary increase not to exceed two steps (6%) within the same grade according to the City's current Compensation Plan. Employees who have received a probationary increase will not be eligible for a step-increase in the same year.

No favorable Human Resource actions such as promotions, salary increases, and or transfers will occur during an employee's probationary period except by approval of the City Manager under special circumstances. Employment is and remains at will.

#### **4.10**

##### **Working Hours**

Normal working hours for non-Police and Fire personnel are Monday through Friday, 8:00 a.m. to 5:00 p.m. with one hour for lunch, for a total of 40 hours per workweek. A morning and afternoon break of 15 minutes each is available to each employee, but this time does not accumulate if not taken.

Police and Fire personnel may have additional working hour requirements as outlined in Departmental operating procedures.

Supervisors may establish times which may be flexible to fit the needs of the City.

The City Manager may set other hours of work for individuals or groups of employees if necessary or desirable. Any adjustments to normal working hours will be applied fairly and equitably to employees in the same or similar roles within the department.

Employees are expected to report punctually for duty at the beginning of their assigned workday and to work the full workday established.

Offices will remain open during the noon hour, and lunch periods for some employees shall be staggered according to the requirements of the City.

All hours worked are subject to laws governing employee pay and working hours.

#### **4.11**

##### **Re-hires and Adjusted Hire Dates**

If an employee is rehired within one year of resignation, the employee will not lose his/her seniority or have to fulfill the waiting period for benefits. The employee will also have the option of buying back any vacation paid and

TMRS disbursement. Any unused sick leave up to the allowable maximum annual limit will be credited back to the employee.

<b>Section Five</b>	<b>Human Resource Development, Training and Stewardship</b>
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**5.0 City Manager's Advisory Committee (CMAC)**

The City Manager's Advisory Committee is an appointed group of employees who act as liaisons to the City Manager on issues of concern for City staff. CMAC members are appointed at the request of the City Manager and represent each department within the City. Service on the CMAC is voluntary. Employees interested in participating with the City Manager's Advisory Committee should inform their supervisor and contact the City Manager's Office.

**5.1 City-sponsored Events**

The City of Glenn Heights strives to be a "community of neighbors." Many events held within the City are planned and staffed by City personnel. Events may be held during non-traditional working hours and employees may be asked to volunteer or may be required to staff events and shall be paid accordingly. Any event in which a non-exempt employee is mandated to attend shall be paid at the employee's standard hourly rate and/or at a rate of time and a half for hours worked over their standard work week.

**5.2 Individual Development Plans**

The City is committed to the professional development of each employee. Managers are encouraged to identify development opportunities such as on-the-job training, mentoring, conference attendance, training, etc. for each employee as outlined in the individual development plan.

Contact Human Resources for guidelines on developing IDP's.

**5.3 Professional Association Membership**

Employees are encouraged to participate in professional associations that are directly related to their current position. Associations offer many valuable educational opportunities and resources that are beneficial to the City.

Depending on budget limitations and manager's discretion, an employee's membership may be City-paid. Non-membership related expenses (i.e. dinners, luncheons, networking events, etc. shall be paid by the employee.)

Managers shall outline specific guidelines for employee participation in meetings held during normal working hours.

<b>Section Six</b>	<b>Total Rewards</b>
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**6.0 Bereavement Leave**

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An employee who experiences the death of an immediate family member (1<sup>st</sup> degree consanguinity or affinity) will receive a maximum of three (3) days of bereavement leave. The death of a 2<sup>nd</sup> degree family member will warrant one (1) day of bereavement leave. This leave is separate from sick and vacation leave.

**Immediate Family (1<sup>st</sup> degree)**

Spouse (Husband | Wife) · Parent (Father | Mother) · Child (Son | Daughter) · Sibling (Brother | Sister)

**2<sup>nd</sup> degree Family**

Grandparent · Uncle · Aunt · Cousin · Nephew · Niece

Father-in-law · Mother-in-law · Son-in-law · Daughter-in-law · Brother-in-law · Sister-in-law · Grandparent-in-law

## **6.1 Compensation and Benefits**

The City of Glenn Heights offers a competitive compensation and benefits package that is regularly reviewed. ~~to ensure fair and equitable pay based on market salary averages and other contributable factors.~~ Deleted by Ordinance O-26-12 effective February 19, 2013.

All full-time regular employees are eligible to receive medical, dental, vision, and life insurance. The City contributes a portion of the employee premium for certain coverage.

Employees are responsible for vision premiums not subsidized by the City.

The City also provides life insurance coverage for employees, spouses and dependants. Additional coverage may be purchased at the expense of the employee.

~~The City also provides employee-paid health coverage options to retirees and their dependants at full cost to the employee.~~ Deleted by Ordinance O-11-12, effective April 17, 2012.

Contact Human Resources for a complete description of available benefits and premium contributions.

## **6.2 Compensation Plan**

The City's Compensation Plan establishes pay ranges for each position based on a scale that is recommended by the City Manager and approved by Council.

Pay scale and salary ranges are based on external input such as market trends and analysis and internal input such as budgetary limitations and organizational equity for each position.

Employees who feel that their job duties and qualifications are not accurately reflected in the current Compensation Plan may request a job audit as outlined in section 4.7.

## 6.2 **Flex time/Alternate Work Schedules**

Flex-Time or alternate work schedules may be used where it is reasonable and practical to do so and where operational needs will not be adversely affected.

Flex-time is a work schedule which allows employees to work hours that are not within the standard 8:00 am to 5:00 pm range. With a flex-time schedule, non-exempt employees are still subject to all requirements of the Fair Labor Standards Act.

Employees who are exempt from FLSA are expected to work whatever number of hours are required in order to accomplish their duties and may be permitted to set their own schedules within parameters as established by the Department Head.

### Eligibility

Because services within each department vary, not every employee in each department will be able to work similar flex-time schedules. Decisions will be made based on departmental needs and service to citizens.

### Managing Flex-Time

It is the responsibility of the supervisor to verify and ensure performance of employees with flex-time schedules. Flex-time schedules shall be placed in a central location so that all employees are aware of who is covering department services.

### Flex-Time Schedules

There are two types of flex schedules currently recognized by the City. Once an employee is approved for a particular flex-time, the individual is expected to work that schedule in a consistent manner until further directed.

**Peak-Hour Flex-Time:** This flex-time schedule shifts daily work hours while still working an 8 hour day. For instance, instead of the normal 8-5 day, an employee could work from 7-4, 7:30-4:30, 9:00-6:00, etc. Working any arrangement of hours within an 8 hour day constitutes a valid work day.

**Adjusted Lunch Period:** This flex-time schedule allows employees to adjust the length of their lunch period, while still working an 8-hour day. A non-exempt employee must take a minimum of 30 minutes for lunch each day.

#### 6.4 Longevity Pay

As outlined in the Texas Local Government Code, Sec. 141.032, all commissioned police officers and fire protection personnel working in cities with a population of 10,000 or more are entitled to receive, in addition to all other money paid for services rendered in the department, longevity pay of \$4.00/month for each year of commissioned service in the department, not to exceed 25 years (\$100/month).

The City of Glenn Heights will base its population estimates on U.S. Census and/or North Central Texas Council of Governments data, whichever is most current. If at any time the City's population falls below the required minimum of 10,000, eligible employees may no longer receive longevity pay.

##### Definitions

"Member of the fire department" means an employee of the fire department who is defined as "fire protection personnel".

"Member of the police department" means an employee of the police department who has been licensed as a peace officer by the Commission on Law Enforcement Officer Standards and Education.

##### Eligibility

Eligibility requirements will be updated according to applicable law.

If an eligible employee transfers to a non-qualifying Police and/or Fire position, the employee will no longer receive longevity pay.

##### Calculations

Longevity Pay calculations will be based on the employee's tenure within the department from the date of hire or date of eligibility as outlined above, whichever is less. Employees who served within the department prior to becoming "fire protection personnel" or "licensed peace officers" will only receive payment from the date of eligibility (commission status).

#### 6.5 Holiday Observance and Pay

All regular full-time employees, regardless of probationary period, will receive one workday of pay at their regular rate for City recognized holidays, provided the employee works the first scheduled workday immediately preceding and following the holiday, unless excused by the Department Head.

Temporary and regular part-time employees will not be scheduled to work on holidays or other known days of closure unless the activity is to remain open.

When an employee wishes to be absent prior to or following the holiday, arrangements should be made one week or more in advance of the holiday to avoid unnecessary disruption in the work schedule.

When a holiday falls on Saturday, it will be observed on the preceding Friday. When a holiday falls on Sunday, it will be observed on the following Monday.

An employee who is on administrative leave of absence by the City (suspension) will not be paid for holidays.

Employees on approved FMLA leave will receive one workday of pay at their regular rate of pay per City-sponsored holiday during their absence.

#### Working on Holidays

Employees who are scheduled to work on a City observed holiday will receive one workday of pay at their regular rate times 2.5 (double time and one-half).

Employees who are scheduled for approved vacation or time off on a City observed holiday and are called back for mandatory service will receive their regular rate of pay times 2.5 (double time and one-half) for any hours worked on that holiday.

City Observed Holidays	
New Year's Day	January 1 <sup>st</sup>
Martin Luther King Jr. Day	3 <sup>rd</sup> Monday in January
Memorial Day	Last Monday in May
Independence Day	July 4 <sup>th</sup>
Labor Day	1 <sup>st</sup> Monday in September
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Day After Thanksgiving Day	4 <sup>th</sup> Friday in November
Christmas Eve	December 24 <sup>th</sup>
Christmas Day	December 25 <sup>th</sup>
9/11 Memorial Day	*May be substituted for one personal day for Fire personnel

## 6.6 Jury Duty and Court Leave

Employees who are required to render jury service or court service will receive their regular pay during such service.

Employees must inform their supervisor upon receiving notice and return to work at the completion of the required service. Employees may keep any compensation paid directly by the court for his/her jury service.



## 6.7 Military Leave

### Military Leave for Training

Regular, non-probationary employees who are members of the National Guard or any reserve component of the armed forces are permitted ten (10) work days military leave with pay in any calendar year. The Department Head and Director of Human Resources must be furnished with a copy of military orders authorizing such leave.

### Military Leave and Re-employment of Veterans

Returning service-members shall be reemployed in the job that they would have attained had they not been absent for military service, with the same seniority, status and pay, as well as other rights and benefits determined by seniority.

Reasonable efforts (such as training or retraining) will be made to enable returning service members to refresh or upgrade their skills to help them with their reemployment.

Employees requesting military leave must provide advance written or verbal notice to the Director of Human Resources for all military duty unless giving notice is impossible, unreasonable, or precluded by military necessity. An employee should provide notice as far in advance as is reasonable under the circumstances.

Additionally, service members have the option (but are not required) to use accrued vacation or personal days while performing military duty.

The period an individual has to make application for reemployment or report back to work after military service is based on time spent on military duty.

<b>For service of less than 31 days</b>	The employee must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight-hour rest period.
<b>For service of more than 30 days but less than 181 days</b>	The employee must submit an application for reemployment to the Director of Human Resources within 14 days of release from service.
<b>For service of more than 180 days</b>	The employee must submit an application for reemployment to the Director of Human Resources within 90 days of release from service.

## **6.8 On-call/Engaged to Work**

An employee may be designated as On-call when approved by his/her supervisor or Department Head. Those employees considered as On-call will be in status for a specified period of time and are expected to respond within 30 minutes of being called-back. On-call employees will be compensated according to overtime guidelines for any hours worked in excess of forty (40) in a work week. Pay will include travel time to and from the job site.

## **6.9 Overtime Usage and Reporting**

Employees may at times be asked to work overtime. Non-exempt (hourly), non-Fire employees are paid time and one-half for hours worked in excess of forty (40) hours in a week, according to Fair Labor Standards Act (FLSA) requirements.

Based on FLSA guidelines, 29 USC §207(k), Firefighters/EMT's will be paid overtime only for hours worked in excess of a threshold, typically based on hours exceeding 212 during a 28 day period.

Police Officers will be paid overtime only for hours worked in excess of a threshold, typically based on hours exceeding 80 during a two-week period.

Although under FLSA guidelines, government agencies may opt to utilize compensatory (comp) time for employees in lieu of overtime with certain exceptions, managers are encouraged to pay overtime for hours worked in accordance with this policy.

All overtime shall be approved by Department Heads and recorded using the appropriate departmental overtime usage code and payroll forms.

## **6.10 Paychecks (Regular, Final)**

Employees shall be paid by check (electronic or hard copy) according to the annually published Payroll Schedule. If any regularly scheduled payday falls on a holiday, checks will be provided on the preceding workday.

When employment with the City is terminated, the final paycheck may be picked up by the terminated employee in the Human Resource Department, provided all City property, uniforms, keys, etc., have been submitted as requested and documented.

## **6.11 Payroll Deductions**

Federal Income Tax and Social Security will normally be deducted from every paycheck as required by law.

There is a mandatory deduction for qualifying employees for participation in the Texas Municipal Retirement System.

Other deductions may include Court ordered Child Support, health insurance premiums and others. All deductions will be clearly stated on employees payroll check stub.

#### **6.12 Personal Days**

All full-time regular, non-Fire employees will receive ~~five (5)~~ two (2) personal days equal to one workday each for use at their discretion each calendar year. Usage of personal days must be pre-approved by the employee's supervisor. Approval will be based on departmental needs and will be processed in the order received.

Fire personnel will receive ~~four (4)~~ one (1) regular personal days and one personal day in observance of the 9/11 Memorial Holiday equal to one workday each. Usage and approval of personal days will follow the same guidelines as non-Fire personnel.

Personal days do not carry over from year-to-year. Employees who begin employment June 1<sup>st</sup> or later will only be eligible for ~~2 and one-half~~ one (1) personal days as calculated by the number of hours in a typical workday. Amended by Ordinance O-26-12 effective February 19, 2012.

#### **6.13 Relocation Assistance**

The City may pay direct relocation expenses (packing and movement of household goods, temporary housing, relocation services) for persons appointed to Department Head and higher positions. The City may also pay for personal car mileage for a maximum of two cars for purposes of relocation. Expenses paid for relocation assistance shall be at the discretion of the City Manager and will be based on budgetary limitations. All agreed relocation assistance shall be outlined in the official offer of employment and will be paid through payroll. Employees who receive relocation assistance and voluntarily end employment with the City in less than one full year of service will be subject to repayment of such assistance through withholdings from the employee's final paycheck.

Before an employee may receive relocation assistance, such employee must sign a written authorization to allow the City to withhold a portion of the employee's final paycheck in the amount of the relocation assistance if the employee voluntarily ends employment with the City in less than one full year of service from the date of relocation.

#### **6.14 Requesting Leave/Approval**

Employees are required to request leave of any form as soon as reasonably possible. Leave requests should be provided on the appropriate form and presented to the employee's supervisor for approval. Approval will be based on departmental needs however an employee's request should generally be approved

if it does not present a hardship on the department. Employees may verbally request leave in the event of an emergency or unforeseen illness or related event.

Available leave is a benefit to employees and should not be abused or used excessively in a manner that adversely impacts City services. Employees who show patterns of excessive leave requests or absences may have additional restrictions placed on their leave usage. Department Heads, in conjunction with Human Resources will make the determination of abuse of leave on a case-by-case basis.

#### **6.15 Retirement and Texas Municipal Retirement System Participation**

The City is a member of the Texas Municipal Retirement System (TMRS) and all regular employees who work 1,000 hours or more in a calendar year are required to participate in this plan. Employers are required to contribute a percentage of their salary through automatic payroll deductions to the plan. The City makes contributions to the system as an added benefit to employees. City contributions are based on budgetary limitations.

Should you leave employment with the City before you become eligible for retirement, the contributions that you made, plus interest, may be returned to you. In the event of your death while still employed by the City, your contributions, plus interest, will be returned to the person(s) you designate as your beneficiary.

Employees are encouraged to periodically update TMRS beneficiary designations.

The City does provide additional retirement options through third party plans for employees wishing to contribute to their retirement above the pre-set TMRS guidelines. Contact Human Resources for additional retirement options.

#### **6.16 Sick Leave and Balance Management**

Employees are allowed sick leave with full pay computed on a bi-weekly basis of one workday for each month employed. Employees begin earning sick leave upon hire, however, are not eligible to claim sick leave until after 90 days of employment.

Eligible employees shall be allowed to use their accrued sick leave to take paid time off from work for the following reasons:

- medical necessity during the employee's temporary incapacity due to illness or injury, including incapacity related to pregnancy or childbirth
- infection with or exposure to a contagious disease such that his or her presence on the job might jeopardize the health of others
- FMLA approved leave
- the employee's or immediate family member's medical appointments that cannot reasonably be scheduled during non-work hours

For purposes of this policy, immediate family is defined as the employee's spouse, domestic partner, child, parent, or any other relative for which the employee is the guardian or primary caregiver.

#### Approval

Approval of sick leave for non-emergency health-related appointments must be secured in advance. In all other instances of sick leave, the employee must notify his supervisor or Human Resources if the supervisor is unavailable, as soon as reasonably possible prior to the employee's next scheduled work day.

Supervisors are responsible for determining that leave requested is available for use prior to approving the employee's request. If deemed necessary, supervisors may request verification of the necessity of the requested leave. Requests for verification will be in accordance with applicable HIPAA laws and employees will not be required to provide information on medical diagnosis or other private health information.

Supervisors may request a doctor's verification of the employee's ability to return to work. An employee who wishes to use sick leave must comply with management's request for verification of the appropriateness of using sick leave.

Forms of verification employees may provide include:

- Certification from the treating physician that the employee is temporarily disabled from work. This should indicate the extent of the employee's disability, the anticipated duration of the disability and any work restrictions
- Certification from the employee's physician that the employee currently has or has been exposed to a contagious disease such that his or her presence on the job might endanger the health of others
- Evidence that the employee has a medical appointment that could not reasonably have been scheduled during the employee's non-work hours

An employee's use of paid sick leave may be denied if the employee fails to comply with a reasonable management request for verification of the need for sick leave, or if the verification provided is inadequate.

#### Abuse of sick leave

It is an abuse of sick leave to claim qualifying reasons for an absence when such reasons do not exist. Employees who misrepresent the need to use sick leave are subject to disciplinary action up to and including termination.

#### Accrual of Sick Leave

Any unused sick leave accumulated during the calendar year shall be credited to the employee for the next year. There is no limit on the amount of sick leave that employees can carry over from one year to the next.

Employees who leave the City in good-standing and are re-hired within one (1) year will have eligible unused sick leave credited to their accrual bank.

Sick leave does NOT accrue in the following situations:

- when an employee is on leave without pay or when no work is performed by the employee (FMLA)
- when an employee is suspended without pay pending the results of an official investigation or court action related to a disciplinary suspension

Payment of Sick Leave

Sick leave will not be paid as a cash value to an employee at any time.

**6.17      ~~Telecommuting~~ Section deleted in its entirety by Ordinance O-26-12 effective February 19, 2013.**

~~This policy establishes guidelines for the use of telecommuting (also known as Telework), where appropriate and deemed necessary by the Department Head for eligible employees. Telecommuting may be utilized to improve the productivity of an employee (i.e. short-term project), better address work and family demands, or accommodate a short-term injury, illness, or disability.~~

~~Telecommuting is not appropriate for all employees. No employee is entitled to, or guaranteed the opportunity to telecommute. Offering the opportunity to work at home is a management option, based on the discretion of the employee's Department Head. An employee's participation is strictly voluntary. All telecommuting agreements must meet the criteria in this policy and may be terminated at any time by either the employee or the immediate supervisor.~~

~~Employees may, at the discretion of their Department Head, be called to work on-site while telecommuting during their regular work hours to meet workload requirements.~~

~~Responsibilities~~

~~The duties, obligations and responsibilities of an employee who telecommutes are the same as employees at the centrally located worksite. A set procedure and schedule for regular communication between a telecommuting employee, staff and management must be identified in advance.~~

~~FLSA requirements must be adhered to at all times. Non-exempt employees should record a start and end time to their workday while telecommuting through e-mail, voicemail, or other communication as documentation of hours worked. Overtime must be pre-approved by the Department Head and should typically not be utilized for telework unless absolutely necessary. Work schedule variations are subject to management approval.~~

~~Telecommuting shall not be used as a substitute for FMLA, sick leave, vacation or other City-approved leave.~~

~~Employees who telecommute from home are subject to the same internal policies and responsibilities regarding the use of City provided equipment (hardware and software) and services as that of employees at the centrally located worksite.~~

~~The employee will maintain the confidentiality of City information and documents, prevent unauthorized access to any City system or information, and dispose of work related documents in a manner that will not jeopardize the interests of the City. Completing work that is confidential or for internal use only should be limited.~~

#### ~~Telecommuting Eligibility~~

~~Not all employee's are eligible for telecommuting. An employee's work must be of a nature that face-to-face interaction with internal or external customers is minimal and the employee's tasks can be performed successfully away from the office.~~

~~The need for specialized material or equipment in order to telecommute should be minimal. Employees interested in telecommuting must already have a safe and ergonomic home office environment and the primary materials and equipment (i.e. computer, internet access, telephone, etc.) needed at their home in order to telecommute.~~

~~Characteristics of the employee will include a demonstrated conscientiousness about work time and productivity, self-motivation and ability to work well alone. The employee should have a proven record of effective communication with supervisors, co-workers, support staff and clients.~~

~~The employee should also have a demonstrated ability to operate computer or other equipment independently, to the degree that will be required to work from their home.~~

~~The employee must be performing currently at an overall satisfactory level or above in their position and shall not have been placed on disciplinary action within the last two years of the date of the request.~~

~~Employees requesting to telecommute must contact their supervisor. Requests may be granted based on the requested hours, availability of qualifying assignments, departmental workload, and the employee's eligibility.~~

## **6.18 Time Reporting**

Non-exempt employees shall keep a record of all hours worked and leave taken. Non-exempt employees must record hours worked and leave taken on a City-approved time sheet.

Exempt employees are only required to report time when there is an exception to the standard workweek and leave is requested of at least 8 hours or more (i.e. leave request).

Each supervisor is responsible for ensuring that all hours worked and leave taken is reported and sent to Payroll.

Dishonesty or misrepresentation of hours worked or leave taken will be subject to disciplinary action up to and including termination.

## 6.19 Travel & Expenditures Reimbursement

The policy of the City is that employees be fully reimbursed for necessary and reasonable job-related expenses incurred in the authorized conduct of City business. All requests for reimbursement of expenses are subject to requirements of documentation and reasonableness.

### Out-of-City Travel

Out-of-City travel by employees is permitted, provided that it is authorized in advance by the employee's Department Head and does not exceed departmental budgetary limitations. When private automobiles are used for out-of-city travel, reimbursement is allowed using the current Federal Government rate based on the actual mileage traveled. Use of private automobiles for out-of-City travel should only be used if the estimated reimbursement is less than the cost of air travel. Employees are discouraged from traveling unreasonable distances unescorted in private automobiles.

### Meals and Related Expenses

Employees traveling on City business will be reimbursed for meals and related expenses according to the Federal Per Diem Rate. Receipts are required for all reimbursements exceeding Per Diem unless approved by the Department Head.

Costs associated with personal entertainment, alcohol consumption, or other social activities will not be reimbursed.

## 6.20 Vacation Pay and Balance Management

Full-time employees, upon completion of their probationary period, are eligible to request the use of any accrued vacation time. Vacation time shall begin to accrue upon the first day of employment at the rate of one workday per month.

Vacation is accrued according to the following schedule:

Years of Service	Vacation Amount
1	12 workdays
8	13 workdays
9	14 workdays



10	15 workdays
11	16 workdays
12	17 workdays
13	18 workdays
14	19 workdays
15+	20 workdays

Each employee is encouraged to take vacation earned in the calendar year in which it is earned whenever possible.

#### Requesting Vacation Leave

Employee vacation requests require approval of the Department Head prior to vacation being taken and should be submitted on the appropriate leave request form. Consideration will be given to employee requests based on departmental needs in order to ensure a balanced work schedule.

Earned vacation time may be approved in periods as designated by the Department Head or City Manager when such vacations will not interfere with the needs of the department. Vacations in increments of less than one day are discouraged.

Official holidays occurring during an employee's vacation will not be considered as vacation time and will be paid according to the Holiday Observance and Pay policy.

#### Vacation Balance Accrual

The maximum vacation accrual is 160 hours. Any accrued unused vacation leave over 160 hours will be removed from the employee's leave balance as of December 31<sup>st</sup> each year.

#### Vacation Payment

Full-time regular, non-probationary employees who end employment with the City in good standing (i.e. are eligible for re-hire) shall be paid for any unused accrued vacation time up to the allowable limits as defined in this policy.

Vacation will not be issued as a cash payment for any other reason.

## 6.21 Vehicle Allowance and Assignment

The purpose of this policy is to establish guidelines for assignment of City vehicles and the authorization for vehicle allowances for the use of personal vehicles for official City business.

#### Eligibility

Key employees may be assigned City-owned vehicles or provided with a vehicle allowance as determined by the City Manager if it is deemed that their positions require them to be frequently called to perform official duties outside the normal work day. Such assignments are typically reserved for the City Manager and Department Heads.

For vehicle assignments, the City reserves the right to determine the value, make and model of the vehicle to be provided to the employee and to change, vary or withdraw the employee's allocated car at any time for any reason.

A person approved for a car allowance is not permitted to submit mileage for reimbursement as a travel expense.

If an employee is placed on administrative, medical, military, LWOP or other related leave, vehicle allowances or City-owned vehicle assignment will be temporarily suspended pending the employee's return to work.

#### Responsibilities

City-owned vehicles assigned to employees may be used for business and occasional personal use, including the transport of family members. Only authorized employees are permitted to operate City vehicles, regardless of the nature of use.

If an employee incurs a driving fine, including parking tickets, the responsibility for paying these rests with the employee. Disciplinary action will be taken against any employee who incurs fines or penalties that are either not declared or not paid.

Employees operating City vehicles are subject to vehicle safety procedures as outlined in this handbook.

### **6.22 Workweek**

The typical workweek of non-Police and Fire personnel is Monday-Friday with working hours of 8:00 a.m. to 5:00 p.m. with one hour for lunch and allowable breaks. The City Manager and/or Department Head may set other workweek requirements for individuals or groups of employees if necessary.

All decisions regarding required workweeks will conform to corresponding laws and regulations.

The workweek for Police and Fire personnel is set by the Chief of Police and Fire Chief respectively and shall comply with all City, State and Federal requirements.

"Workweek" for regular full-time Firefighters/EMT's is typically based on 212 hours during a 28 day period.

"Workweek" for regular full-time Police Officers is typically based on 80 hours during a two-week period.

### **6.23 Transfer of Sick Leave for Catastrophic Illness**

Voluntary shared leave allows one employee to assist another employee in the case of a prolonged medical condition of the employee or the employee's immediate family member that exhausts the employee's available leave and would otherwise force the employee to be placed in leave without pay status, resulting in a loss of income and benefits.

Only full-time, non-probationary employees are eligible to donate or receive sick leave for catastrophic illness.

For purposes of this policy, immediate family is defined as the employee's spouse, domestic partner, child, parent, or any other relative for which the employee is the guardian or primary caregiver.

This policy does not apply to incidental, normal, and/or short-term medical conditions. In addition, the policy is not intended to circumvent the requirement of management to have duties performed, or limit management's right to deny a request for leave without pay.

Prolonged Medical Condition as defined for this policy is one that requires an employee's absence from duty for a prolonged period (at least 20 consecutive work days) or for frequent intermittent periods related to a serious medical condition.

#### Eligibility

Employees will be required to provide to Human Resources, verification from the attending physician outlining the estimated time for treatment or recovery. Employee medical information is confidential. When disclosing information on an approved recipient, only a statement that the recipient (or family member) has a prolonged medical condition needs to be made.

Employees will only be able to receive leave donations up to the maximum amount required as outlined by the treating physician.

#### Donations

Employees who wish to contribute a portion of their unused sick leave may do so in minimum increments of eight (8) hours and a maximum of one hundred (100) hours. Donors must retain a minimum of forty (40) hours of personal unused sick leave. All donations are considered unspecified and may be credited towards any eligible employee.

Any employee who has been approved for retirement or has rendered a resignation to be effective within ninety (90) days will not be eligible to donate sick leave.

#### Requesting Leave

Any employee who experiences a prolonged medical condition for themselves or an immediate family member and is approved for FMLA may request the use of transferred leave once all sick, vacation and personal days have been exhausted.

## 6.24 **Attainment of Professional Certifications and Accreditations – added by Ordinance O-17-10 effective September 2, 2010.**

The City recognizes the importance and benefit of professional accreditations and certifications. Certifications and accreditations must be recognized by the City, *directly related* to the job performed and must be a reasonable *requirement* for the fulfillment of the job duties.

Employees, upon request, may be allotted paid leave to prepare for and/or complete certifications exams and testing not to exceed one (1) day each. Time off will be at the discretion of the manager and will be based upon departmental needs and the applicability of the certification or accreditation.

Employees may be eligible to receive a stipend in the form of certification or assignment pay for approved certifications and accreditations. See section 1.1 for an explanation of qualifications and tiers for stipends.

The following are recognized certifications and accreditations by the City of Glenn Heights.

<b>Certification</b>	<b>Requirements</b> *Subject to change as required by the Governing Body.	<b>Governing Body</b>	<b>Stipend Level</b>	<b>Type</b> C= Certification Pay A= Assignment Pay
<b>Fire</b>				
Structure Firefighter Intermediate	Basic Firefighter Cert 4 yrs. Experience Required training	International Fire Service Accreditation Congress  Texas Commission on Fire Protection	II	C
Structure Firefighter Advanced	Intermediate Firefighter Cert 8 yrs. Experience Required training	International Fire Service Accreditation Congress  Texas Commission on Fire Protection	III	C
Structure Firefighter Master	Advanced Firefighter Cert. 12 yrs. Experience Associates Degree or 60 sem. Hrs. (w/ 18 in Fire Science)	International Fire Service Accreditation Congress  Texas Commission on Fire Protection	IV	C

Fire Inspector Basic	Exam	International Fire Service Accreditation Congress  Texas Commission on Fire Protection	I	C
Arson Investigator Basic	TCLEOSE License Exam	International Fire Service Accreditation Congress  Texas Commission on Fire Protection	I	C
Driver/Operator-Pumper	Fire Suppression Cert. Exam	International Fire Service Accreditation Congress  Texas Commission on Fire Protection	I	C
Fire Service Instructor Level I	3 yrs. Experience Exam Field Examiner Course	International Fire Service Accreditation Congress  Texas Commission on Fire Protection	N/A	A

<b>Police</b>				
Intermediate Peace Officer	Basic Peace Officer Cert. Active License or Appointment Required Courses 400-2400 hrs. of service, or Associate's Degree + 4 yrs. Of service, or Bachelors Degree or higher + 2 yrs. Of service	Texas Commission on Law Enforcement Officer Standards and Education	II	C
Advanced Peace Officer	Basic Peace Officer Cert. Intermediate Peace Officer Cert. Active License or Appointment Required Courses 800-2400 hrs. of service, or Associate's Degree + 6 yrs. Of service, or	Texas Commission on Law Enforcement Officer Standards and Education	III	C

	Bachelors Degree or higher + 5 yrs. Of service			
Master Peace Officer	Basic Peace Officer Cert. Intermediate Peace Officer Cert. Advanced Peace Officer Cert. 1200-4000 hrs. of service, or Associate's Degree + 12 yrs. Of service, or Bachelors Degree + 9 yrs. Of service, or Master's Degree + 7 yrs. Of service, or Doctorate/JD + 5 yrs. Of service	Texas Commission on Law Enforcement Officer Standards and Education	IV	C
Field Training Officer	2 yrs. Of service* Required training  *Departmental requirement	Texas Commission on Law Enforcement Officer Standards and Education	N/A	A
Crime Prevention Officer	Required training	Texas Commission on Law Enforcement Officer Standards and Education	N/A	A
Instructor	4 yrs. Of service* Required training  *Departmental requirement	Texas Commission on Law Enforcement Officer Standards and Education	N/A	A
Intermediate Telecommunicator	Active License or Appointment Basic Telecommunicator Cert. 2 yrs. of service 120+ hrs. of Required training	Texas Commission on Law Enforcement Officer Standards and Education	II	C
Advanced Telecommunicator	Active License or Appointment Basic Telecommunicator Cert. Intermediate Telecommunicator Cert. 4 yrs. of service	Texas Commission on Law Enforcement Officer Standards and Education	III	C

	240+ hrs. of Required training			
Code Enforcement Officer	Exam Only	Texas Department of State Health Services	I	C
<b>Municipal Services</b>				
Public Water System Operator C (Surface Water, Groundwater or Distribution)	G.E.D or High school Diploma + 2 yrs. 60- 64 hrs. of Required training Exam	Texas Commission on Environmental Quality	II	C
Public Water System Operator B (Surface Water, Groundwater or Distribution)	G.E.D or High school Diploma + 5 yrs. Bachelor's Degree + 2.5 yrs. 100-124 hrs. of Required training Exam	Texas Commission on Environmental Quality	III	C
Public Water System Operator A (Waterworks)	G.E.D or High school Diploma + 8 yrs. Bachelor's Degree + 5 yrs. Master's Degree + 4 yrs. 164 hrs. of Required training Exam	Texas Commission on Environmental Quality	IV	C
Wastewater Treatment Plant Operator C	G.E.D or High school Diploma 60 hrs. of Required training Exam	Texas Commission on Environmental Quality	I	C
Wastewater Treatment Plant Operator B	G.E.D or High school Diploma + 5 yrs. Bachelor's Degree + 2.5 yrs. 100 hrs. of Required training Exam	Texas Commission on Environmental Quality	III	C
Wastewater Treatment Plant Operator A	G.E.D or High school Diploma + 8 yrs. Bachelor's Degree + 5 yrs. Master's Degree + 4 yrs. 160 hrs. of Required training Exam	Texas Commission on Environmental Quality	III	C
Wastewater Collection II	G.E.D or High school Diploma 60 hrs. of Required training	Texas Commission on Environmental Quality	II	C

	2 yrs. Of Experience Exam			
Wastewater Collection III	G.E.D or High school Diploma + 5 yrs. Bachelor's Degree + 2.5 yrs. 100 hrs. of Required training Exam	Texas Commission on Environmental Quality	III	C
Irrigation Technician or Landscape Irrigation Technician	G.E.D or High school Diploma Required training Exam	Texas Commission on Environmental Quality	I	C
<b>Finance</b>				
Certified Payroll Professional	3 yrs. Of Experience Required Training 18-24 months of practical current experience	American Payroll Association	II	C
Fundamental Payroll Certification	Exam	American Payroll Association	I	C



**6.25 Certification and Accreditation Pay Stipend - added by Ordinance O-17-10 effective September 10, 2010.**

All full-time and part-time regular employees who possess and/or attain job related City recognized professional certifications and accreditations may be eligible for a stipend in the form of certification or assignment pay, paid in increments as determined by Finance and/or the Annual Payroll Schedule. \*Certifications that are a pre-requisite of employment will not receive a stipend.

Stipends are approved by the Department Head based on the relevancy and requirements of the department. Attainment of a professional certification or accreditation alone does not warrant or guarantee payment of a stipend.

Stipends are not cumulative and will only be awarded for the highest level of attainment completed in any one category where applicable. Credentials will be verified prior to receiving a stipend and may be verified periodically during the course of employment.

Failure to maintain certifications/accreditations and/or the re-assignment or removal of applicable duties will result in the loss of a stipend.

Stipends are based on the following parameters...

<b>Certification Pay</b>		
<b>Level</b>	<b>Qualifications</b>	<b>Annual Stipend</b>
I	Exam Only, and/or Required Training, and/or No education requirement/G.E.D/HS Diploma	\$300
II	Exam Only, and/or Required Training, and G.E.D/HS Diploma/Associate's Degree, and 1- up to 4 yrs. of Experience	\$600
III	Exam Only, and/or Required Training, and G.E.D/HS Diploma/Associate's Degree/Bachelor's Degree, and/or 4- up to 8 yrs. of Experience and/or Management or Exempt-level Position Attainment Requirement	\$900
IV	Exam Only, and/or Required Training, and G.E.D/HS Diploma/Associate's/Bachelor's /Master's Degree, and/or 8-12+ yrs. of Experience and/or Management or Exempt-level Position Attainment Requirement	\$1200

**Assignment Pay**

Assignment pay is provided with the expectation that employees will be required to periodically perform tasks related to their approved accreditations and certifications in addition to normal work duties.

Assignment pay is calculated as 1.5 times the employee's standard hourly salary and will only be provided for the actual performance of tasks related to the accreditation or designation.

**Assignment Pay Form**

City of Glenn Heights

Assignment Pay Request Form



Name: \_\_\_\_\_ Employee ID: \_\_\_\_\_ Department : \_\_\_\_\_

Pay Period  
Beginning: \_\_\_\_\_

Pay Period  
Ending: \_\_\_\_\_

Date	Start Time	End Time	Total Hours	Assignment Code	Description of activity

**Assignment Codes****Police**

- PFTO- Field Training Ofcr
- PCPO- Crime Prevention Ofcr
- PINT- Instructor

**Fire**

- FINS- Instructor

**Additional Comments (optional) :**

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Manager Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**All assignment pay MUST be pre-approved.**

## 6.26 Higher Pay Classification/Step Up Pay Policy

Local Government Code, Section 141.033 states the following, “A member of the fire or police department who is required to perform the duties of a particular classification is entitled to be paid the salary prescribed for that position during the time the member performs those duties.”

Each employee temporarily working in a higher classification position for at least one hour will be paid at the minimum rate for the classification in which they are being assigned per local government code 141.033. The increased rate will be for the time period in which the employee is required to perform the responsibilities of the higher classification. The policy applies only to full-time sworn members of police and fire.

A person may be temporarily assigned to a position above the rank then regularly held by the employee only with the approval of the department head or his/her designee. The department head shall develop a operating procedure for determining who is eligible to work in each higher position on a temporary basis to fill a vacant position due to vacation, holiday, sick, or there is not an employee assigned to the position that is vacant.

The Department Head will be responsible for the development and implementation of a training program to ensure individuals placed on the eligibility list are provided the necessary knowledge skills and abilities to successfully perform the responsibilities of the position. Additionally, all employees placed on an eligibility list to step up, will be required to review and sign the job description for the position acknowledging the required responsibilities.

Acting out of classification pay will be provided when a member of the classified service is called upon to perform the duties of a higher classification. Employees will be compensated for acting out of classification only when officially assigned and notified of such duty assignment by an appropriate supervisor.

An assignment to a higher level classification shall never be made when the individual serving in the higher rank is reasonably available to handle the duties assigned to his/her position. Assignments will be made in the most cost effective manner possible without significantly compromising operation effectiveness.

**Classifications** – The City has the following classifications for the Fire and Police Department.

**Fire:**

Fire Chief  
Fire Lieutenant  
Firefighter/Paramedic  
Firefighter/EMT

**Police:**

Police Chief  
Sergeant  
Corporal  
Officer

The minimum staffing standards, for fire, include a Fire Lieutenant and three Firefighters (who are either EMT-Basic or EMT-Paramedics. The minimum staffing standards, for police, is a Sergeant or a Corporal and one officer (for a total of two on a shift).

**Section  
Seven**      **Employee Relations****7.0**      **Administrative Leave/Suspension/Leave Without Pay****Administrative Leave**

Administrative leave is a temporary leave which may or may not be paid. Managers may impart administrative leave during an investigation or allegation of misconduct. Placement on administrative leave does not imply fault. Administrative leave is typically reserved for Police and Fire personnel however it may be utilized for any employee if deemed necessary.

**Suspension**

Suspension is leave without pay for confirmed misconduct, poor performance or other disciplinary action. Employees may be suspended for a time period not to exceed one (1) week. See the policy on progressive discipline for a guideline of when to apply suspension as a consequence.

**Leave Without Pay**

Employees may request authorized leave without pay (LWOP) for a variety of non-disciplinary related circumstances. Only certain types of leave guarantee employment such as FMLA or military leave. Employees should contact Human Resources for detailed information on the implications of requesting leave without pay.

Managers shall consult Human Resources prior to authorizing or requiring any prolonged absence from work for employees.

**7.1**      **Chain of Command**

When faced with a question or a problem involving your work, consult your immediate supervisor for a solution. If you are unable to have your question answered or your problem solved at your immediate supervisor level, you should use the following chain of command.

- Supervisor/Manager
- Department Head/Director
- Human Resources
- City Manager

Issues involving harassment, discrimination or other illegal or unethical activities do not require observance of the chain of command.

**7.2**      **Demotions**

Circumstances may warrant the removal of certain responsibilities and compensation due to the employee's poor work performance, to prevent disruption

of department business, or a request by the employee. The department will handle demotions in a fair and consistent manner as described in this policy.

- **Administrative Demotion**

A department-initiated move of an employee from his/her current position and responsibilities to a position in a lower salary grade with less responsibilities and pay, to prevent disruption of department business.

- **Disciplinary Demotion**

A department-initiated move of an employee from his/her current position and responsibilities to a position in a lower salary grade, with less responsibilities and pay, due to poor work performance or failure to meet the expectations and goals of the department.

- **Voluntary Demotion**

An employee-initiated written request for a lower salary grade position with less responsibility and pay.

Demotions may result in a reduction of salary in accordance with the salary and pay range for the position. All demotions must be coordinated in advance through Human Resources.

### **7.3 Final Authority**

Grievances can be appealed through the immediate supervisor up to the City Manager following the appropriate chain of command (See section 7.1- Chain of Command).

Following careful investigation of the facts by the appropriate manager or other designated authority, the City Manager shall have broad authority to resolve such grievances. The decision of the City Manager is final in all personnel matters.

### **7.4 Nepotism**

The purpose of this policy is to establish uniform practices regarding the employment (including regular, contractual, and temporary) of relatives in the City of Glenn Heights. The intent of this policy is to prevent the appearance of nepotism in the hiring, promotion, demotion, reassignment, transfer and all other personnel or contractual matters of employees, thereby limiting the negative effect on morale and the appearance of impropriety.

Pre-existing employment relationships falling within the purview of this policy will be permitted to continue; however, that exception does not apply to supervisor-subordinate guidelines, promotions, reassignments, and transfers after the effective date of this policy, which are governed by this policy.

For purposes of this policy, relative is defined as:

- Spouse of employee
- Parent or grandparent of employee or spouse or anyone who took the place of a parent or grandparent, including step-parents and step-grandparents
- Child of employee or spouse, including step-children and current foster children
- Sibling of employee or spouse, including step and half-siblings
- Aunt or Uncle of employee or spouse
- Niece or Nephew of employee or spouse
- First cousin of employee or spouse
- Brother-in-law, sister-in-law, son-in-law, or daughter-in-law of employee or spouse

#### Prohibited Employment Relationships

A supervisor-subordinate relationship shall not occur at the time of employment or thereafter, nor shall a relative assume for the other the role of advocate with respect to conditions of employment, promotion, demotion, reassignment, or transfer. Relatives shall not work for the same supervisor at any time.

#### Responsibilities

All applicants for employment are required to disclose the names of relatives currently employed by the City as indicated on the employment application.

Current employees are required to disclose any prohibited employment relationship that may be created based on this policy. Failure of the employee to provide this information may be grounds for the termination of employment.

Additional guidelines regarding nepotism are outlined in the City's Home Rule Charter.

### **7.5 Payment of Personal Debts and Taxes**

As a City employee, you will be expected to pay your debts and financial obligations promptly. City employees who are also residents or property owners within the City or County are expected to pay debts according to the required deadline.

### **7.6 Performance Improvement Plan**

A Performance Improvement Plan or PIP is a set of explicit goals given to an employee to meet within a specified timeframe. These goals are usually given as a result of some failure, typically procedural or task related, on the part of the employee. Properly done, a PIP gives an explicit list of those areas where the employee must improve, and what metrics they must meet.

The PIP exists to help an under-performing employee do their best. By laying out clear guidelines, employees get a clear sense of what is expected of them and gives them the room and direction necessary to improve in that direction.

#### Responsibilities

Managers who have documented occurrences of an employee's poor performance, failure to follow procedures, or other factors negatively impacting productivity may choose to place an employee on a PIP.

Managers should contact Human Resources prior to constructing a PIP as it is often the beginning of a paper trail that may end in an employee's termination.

## **7.7 Performance Management**

Performance Management refers to the ongoing process of setting goals, self-assessment, manager assessment, coaching, development, planning, and evaluation.

The City of Glenn Heights is committed to promoting professional development and individual accountability. All employees shall receive a performance evaluation based on definable factors at least annually.

Performance, as related to formal evaluations, could potentially impact compensation and other rewards. Employees are encouraged to take an active role in understanding and managing their performance. Managers shall ensure that employees are provided with consistent and on-going feedback regarding their goals and performance. Contact Human Resources for a detailed description of the current performance management process, timelines, and resources.

#### Employee Rebuttals to a Performance Appraisal

Employees may rebut a performance review within 15 days of receiving it.

The following procedures apply:

- The employee should submit written comments to their supervisor
- The supervisor must, within 10 days of receiving the employee's comments;
  - Revise the appraisal by making changes where warranted, or
  - Notify the employee if no changes were made, and explain why no changes were made.

Copies of the employee's rebuttal and the supervisor's correspondence shall be attached to all copies of the form and placed in the employee's personnel file.

## 7.8 Progressive Discipline & Appeal Process

At times it may be necessary to correct employee behavior that could negatively impact individual or departmental operations. The City has adopted a progressive discipline policy intended to allow employees an opportunity to correct undesirable behavior.

The stage chosen for a particular infraction will depend on a variety of factors that include the severity of the infraction, the previous work history of the employee and how the choice will affect others in the organization. The City reserves the right to begin discipline at any point in the progressive discipline guidelines, up to and including termination of employment.

- **First Offense**      Verbal reprimand
- **Second Offense**    Written reprimand
- **Third Offense**      Suspension (Paid or Unpaid)
- **Fourth Offense**    Demotion or Termination

Managers shall consult Human Resources prior to taking disciplinary action beyond a written reprimand. Any disciplinary action taken shall be a written notice with a copy to the employee, Department Head, and employee's personnel file specifying:

- cause for discipline
- the discipline to be imposed
- the effective date
- the right of the employee to appeal within three (3) working days through the appropriate chain of command

### Appeal Process

Full-time, regular employees have the right to appeal any disciplinary action taken against them that they feel is unjust. Intent to appeal must be provided within three (3) days of receiving notice of a disciplinary action and should be provided to the employee's manager and/or Human Resources. An employee may have a witness and/or an attorney of his/her choosing present at any disciplinary meeting at their expense. Notification of intent to have legal representation must be provided in advance to allow the City to have equal representation.

The employee's appeal, supporting documents, witness statements and any other relevant information will be reviewed by the next level manager in the Chain of Command and Human Resources. Based on the information, a recommendation will be made as to the validity of the action and related discipline. The City



Manager will make the final decision of the appropriate course of action based on all elements of the dispute.

If at any stage of this process the employee files a complaint with an external compliance agency alleging that he or she has been illegally discriminated against, harassed or retaliated against, all issues related to the case will be managed by the City Attorney and coordinated through the City Manager and Human Resources.

## **7.9 Promotions**

Promotions will, when reasonable, be made from within the City's present work force. This policy is established because the City understands that the opportunity to advance is important to job satisfaction.

Promotions will be based on the person who is best meets the knowledge, skills and abilities required for the job. Employees who receive a promotion will have their performance evaluated initially after six months of reassignment.

## **7.10 Resignations**

In order to resign "in good standing" and be eligible for re-hire, an employee must give his/her Department Head at least two weeks written notice of his/her intention to resign.

All City property, uniforms, keys, etc., must be turned in to the Department Head before leaving the employ of the City. All resigning employees shall report to the Human Resource Department for an Exit Interview on their last day of work with the City. When an employee leaves the City in good standing, all vacation time will be paid, however, all sick leave is forfeited as sick leave does not carry a monetary value.

An employee who resigns without sufficient notice is subject to having a written reprimand placed in his/her personnel file documenting the violation of the human resource policies unless there is a valid reason approved by the City Manager for not being able to give sufficient notice. The employee will also forfeit payment for unused accrued vacation time and will not be eligible for re-hire.

## **7.11 Retention Efforts**

The City of Glenn Heights strives to be an employer of choice and attract, recruit, and retain qualified and dedicated employees. The City provides recognition and reward programs in observance of quality performance by employees and varying programs to encourage professional development.

## **7.12 Grievance Procedures**

This policy outlines the process for presenting a formal grievance not related to administrative discipline or legally protected activities.

First Step

All grievances shall be initially directed orally to an employee's immediate supervisor. If this initial attempt at resolution of the grievance is unsuccessful, the employee who has a grievance shall present the grievance orally to his/her Department Head. The employee, who has a grievance, shall initiate these steps within three (3) working days of the date of the occurrence which caused the grievance or from the date the employee first has knowledge of the occurrence.

#### Second Step

If the oral grievance presentation fails to settle the grievance, the employee may within three (3) working days submit a written grievance to his/her Department Head. The request for a discussion shall state: the action complained of, the date of the action, the specific law, ordinance, resolution, policy, rule or reputation alleged to have been violated, and the remedy requested. Within three (3) working days after receiving such grievance, the Department Head shall furnish the employee with a written reply to the grievance.

#### Third Step

If the Department Head's written reply to the grievance is not satisfactory to the aggrieved employee, the employee may, within five (5) working days after receiving the reply, submit an appeal in writing to the Human Resources Director. (i) The Human Resources Director shall confer with the aggrieved employee and the employee's Department Head and recommend a course of action. (ii) This recommended course of action shall be in writing and shall be delivered to the Department Head within ten (10) working days of the date on which the appeal was heard by the Human Resources Director. A copy of the recommended action shall be forwarded to the City Manager. (iii) The Department Head will acknowledge receipt of the recommended action by signing the grievance form. (iv) If the Department Head concurs with the decision of the Human Resources Director, the grievance form will be returned to the aggrieved employee within three (3) working days of receipt from the Human Resource Director.

#### Fourth Step

An employee may make a final written appeal to the City Manager within five (5) working days of a decision of the Human Resource Director. The City Manager shall render a decision in writing to the employee within ten (10) working days. Decisions of the City Manager are final.

### **7.13 Status Change (PT/FT)**

An employee, based on departmental needs, may change from a full-time employee to a part-time employee or vice-versa.

#### Part-time to Full-time

Part-time employees who become Full-time due to transfer or promotion will become eligible for all associated benefits and total rewards once they have

completed their initial probationary period as calculated from the original date of hire.

Full-time employees who become Part-time will no longer be eligible for benefits and related total rewards.

Employees must understand that once approved, there is no guarantee of return to their former status and that any subsequent changes will be based on departmental needs and are at the discretion of the manager.

#### **7.14 Terminations**

The City may terminate employment for any employee as a result of unsatisfactory performance, conduct, job abandonment, violation of City policies, procedures or guidelines, or a variety of other reasons. City employees who are terminated, or who resign in lieu of termination, will not be eligible for re-hire.

#### **7.15 Transfers**

Should an employee desire a job in another department or another position within the department, a transfer is possible provided the employee is (1) qualified to perform the job, (2) not in a probationary period, and (3) the transfer is in the best interest of the City.

The transfer must be approved by Department Heads of involved departments, the Human Resources Director, and the City Manager. Transfers during the orientation/training period (6 months) may be requested only for special circumstances with the approval of the City Manager. An employee transferring to a new position may transfer accrued, unused/unpaid vacation time, sick leave, and salary status to the new position.

#### **7.16 Work Standards**

It shall be the duty of each employee to maintain high standards of cooperation, efficiency and economy in your work for the City. All employees shall report directly to their immediate supervisor. Supervisors and Department Heads shall organize and direct the work of their units to achieve these objectives.

When work habits, attitudes, production, or personal conduct of an employee falls below a desirable standard, supervisors should point out these incidents of unacceptable performance at the time they are observed. Counseling and sufficient time for improvement will, if reasonable, precede a written reprimand. However, nothing in this section shall prevent immediate action up to and including termination, whenever it is in the best interest of the City.

#### **7.17 Workplace Relationships**

Supervisors are prohibited from engaging in romantic or sexual relationships with employees they supervise. There is an inherent imbalance of power and potential for exploitation in such relationships. The relationship may create an appearance of impropriety and lead to charges of favoritism by other employees.

## 7.18 Involuntary Separation

The City will make every effort to make decisions that have the least adverse impact on employees. At times, the City may be required to reduce the number of employees or eliminate positions that are no longer relevant to the needs of the City.

Employees laid off due to a reduction in force retain seniority accumulated to the date of layoff, for a period not to exceed one year, but do not continue to accrue seniority during the layoff leave of absence.

In the event an employee who is notified of a layoff or who has been laid off transfers to another department, he/she continues to maintain seniority in the department where the layoff occurred for a period of one (1) year from the effective date of the layoff or the transfer, whichever occurs first.

When making lay-off decisions based solely on seniority, if the abilities, skills, training, and other relevant qualifications to fill existing positions are considered equivalent among affected employees, the employee with the longest seniority will be retained and the employee with the shortest seniority will be the first to be laid off.

### Severance and Benefits

~~Non-probationary employees will receive an initial severance of four (4) weeks of pay. An additional one (1) week of severance will be paid for each year of tenure, not to exceed twelve (12) weeks of total severance. Severance shall be paid in one lump sum, minus applicable taxes and withholdings. Deleted by Ordinance O-26-12 effective February 19, 2013.~~

Employees identified for involuntary separation will retain elected medical, dental and vision benefits until the last day of the month of separation. Employees will be responsible for applicable dependant elections for this period.

<b>Section Eight</b>	<b>Risk Management</b>
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<b>8.0</b>	<b>City Vehicle Accident Reporting</b>
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Any employee involved in an accident while operating City vehicles must immediately report all vehicular accidents, property damage or liability claims to his/her supervisor and file a Claims Notice within 24 hours of the incident. The Police Department should also be contacted to complete on-scene investigations and collect pertinent information from all parties.

A copy of the Claims Notice can be found in the glove compartment of each City vehicle or obtained from Human Resources. Failure to submit required information in a timely manner may result in disciplinary action, up to and including termination.

All City vehicles and equipment are insured through the City's property/liability claims carrier.

Employees operating a City vehicle at the time of an accident will be required to submit to alcohol and/or drug screening.

## **8.1 Drug & Alcohol Abuse Policy**

### **Purpose**

The objective of this policy is to develop a drug and alcohol-free workplace which will help ensure a safe and productive environment and provide education and treatment to City employees. In order to further this objective, the following rules regarding alcohol and illegal drugs in the workplace have been established:

- The manufacture, distribution, dispensing, possession, sale, purchase, or use of a controlled substance on City property is prohibited.
- Being under the influence of alcohol or illegal drugs on City property is prohibited. The unauthorized use or possession of prescription drugs or over-the-counter drugs on City property is prohibited.
- Employees who violate this policy are subject to appropriate disciplinary action including termination.
- The policy applies to all employees of the City regardless of rank or position and includes temporary and part-time employees.
- The City shall implement a comprehensive drug and alcohol abuse education program. As part of that program, information will be provided on the availability of employee assistance services.
- Alcoholism and other drug addictions are recognized as diseases responsive to proper treatment. Employee assistance may be made available to assist employees based on current healthcare elections.

Any employee suspected of violating this Policy may be immediately suspended without pay pending completion of an investigation. During the course of an investigation, the suspected employee shall have the opportunity to provide an explanation. In the event that a determination is made by the City that the employee violated this Policy, the employee shall be terminated. Should the determination be made that no violation occurred, the employee will be reinstated without penalty and will be paid any lost wages.

### **Definitions**

**City Premises** - all City property including: vehicles, lockers, parking lots, City offices and buildings, including but not limited to City Hall, Police Station, Fire Station, City Service Center, and City parks.

**City Property** - all City owned or leased property used by employees such as vehicles, lockers, desks, closets, etc.

Controlled Substance - any substance listed in Schedules I-V of the Federal Controlled Substance Act 21 U.S.C. S 801 et seq., or its successor statute.

Drug - a drug is any chemical substance that produces physical, mental, emotional, or behavioral change in the user.

Drug Paraphernalia - equipment, a product or material that is used or intended for the use in concealing an illegal drug or for use in injecting, ingesting, inhaling or otherwise introducing into the human body an illegal drug or controlled substance.

Fitness for Duty - to work in a manner suitable for the job. To determine "fitness", a medical evaluation may include drug and/or alcohol testing.

Illegal Drug - an illegal drug is any drug or derivative thereof which the use, possession, sale, transfer, attempted sale or transfer, manufacture or storage of is illegal or regulated under any federal, state, or local law or regulation and any other drug, including (but not limited to) a prescription drug, used for any reason other than a legitimate medical reason and inhalants used illegally. Included is marijuana or cannabis in all forms.

Negative Test Results - "Negative Test" results are results that indicate no alcohol or drugs in the employee's system other than properly used prescription medication.

Reasonable Cause/Reasonable Suspicion - Supported by evidence strong enough to establish that a policy violation has occurred.

Testing - is generally defined as a urine, blood, or breath test to determine chemical or drug content. Testing can occur in the following instances:

- Pre-employment process
- Routine physical examination as required by the City
- Reasonable cause to suspect use
- Injury involving employee(s) causing or contributing to the injury
- On-the-job accident involving lost work time or property damage
- Periodic Drug Testing – any employee may be chosen by the City Manager and/or Director Human Resources

Under the Influence - a state of having any detectable concentration of an alcoholic beverage or any illegal drug in the system of any employee; or the state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of an alcoholic beverage or a controlled substance.

#### General Provisions

Any of the following actions constitutes a violation of the Policy and may subject an employee to disciplinary action including immediate termination:

- Using, selling, purchasing, transferring, possessing, manufacturing, or storing an illegal drug or drug paraphernalia or attempting or assisting another to do so, while in the course of employment or engaged in a City sponsored activity, on City premises, in City owned, leased or rented vehicles, or on City business.
- Working or reporting to work, conducting City business or being on City premises or in a City owned, leased or rented vehicle while under the influence of an illegal drug, alcohol or in an impaired condition.
- Switching, adulterating or attempting to tamper with any sample submitted for medical testing, or otherwise interfering or attempting to interfere with the testing process.

Employees taking drugs prescribed by an attending physician must advise their direct supervisor in writing of the possible effects of such medication regarding their job performance and physical/mental capabilities. This written information must be kept confidential and communicated to the direct supervisor prior to the employee commencing work. All medical information will be kept confidential and the employer, without exception, will punish any breach of privacy and confidentiality in this regard. All prescription drugs must be kept in their original container.

#### Search of City Premises

This City reserves the right to conduct searches or inspections of an employee's person or personal effects including (without limitation) purses, briefcases, and motor vehicles located on City property based on reasonable cause, as well as City property used by an employee, including (without limitation) lockers, desks, and offices whether secured, unsecured, or secured by a lock or locking device provided by the employee based on reasonable suspicion.

Searches of the person shall include the emptying of pockets and the production of other items concealed in clothing. It shall not include a pat-down search. All searches will be conducted by the City's police department.

The City may, with the aid of trained drug-detection dogs, conduct unannounced searches of City property and employee personal property located on City premises, to include (but not limited to) lockers, desks, personal vehicles, purses, and briefcases.

Any item found during a search believed to be an illegal drug or drug paraphernalia will be confiscated by City police. The individual from whom the item or substance has been confiscated will be given a written receipt listing the items and substances seized.

In the administration of these search provisions, personal privacy will be considered to the maximum extent practicable.

### Pre-employment Screening

Objectives - to maintain the high standards of the City's workforce, it is imperative that individuals who use illegal drugs be screened out during the initial employment process before they are placed on the employment rolls of the City. This procedure will have a positive effect by reducing instances of illegal drug use by employees working within the City, and will provide for a safer work environment. For these reasons, drug testing shall be required of all applicants.

### Vacancy Notifications

- Each applicant will be notified that employment in the position will be contingent upon a negative drug test result. Failure of the vacancy announcement to contain this statement notice will not preclude applicant testing if advance written notice is provided to applicants in some other manner.
- Consequences - the City will decline to extend a final offer of employment to any applicant with a verified positive test result, and such applicant will not be considered for employment by the City for a period of one year. The Human Resource Director working on the applicant's file shall be directed to object to the applicant on the basis of failure to pass the drug screen. The City shall inform such applicant that a confirmed presence of an illegal drug in the applicant's urine precludes the City from hiring the applicant.
- Refusal to give written consent for a drug screening test will disqualify the candidate from consideration for employment.

### Immediate Fitness Testing

When, as determined by the immediate supervisor and the next higher level of management, reasonable grounds exist to believe that an employee is impaired or an employee's unsatisfactory behavior or job performance reasonably suggest to management that substance abuse may be a contributing factor, the City reserves the right to require an immediate fitness for duty examination such as a medical evaluation which may include drug and/or alcohol testing. Refusal to participate in such an evaluation shall be considered equivalent to a positive result and shall result in immediate dismissal.

A positive test result shall mean either the presence of a drug and/or alcohol. Sample testing procedures shall conform to scientifically accepted analytical methods and procedures and shall include confirmation of any positive test result by gas chromatography, mass spectroscopy, or other comparably reliable analytical method, before the results of any test may be used as a basis for any action. Both screening and confirmatory urine testing will follow the guidelines adopted by the United States Department of Health and Human Services.



If there is evidence of drug or alcohol use on the job, the employee may be disciplined or discharged and not be eligible for reinstatement.

To be reinstated to a job, an employee must have a signed release from a medical doctor stating that he/she is fit for work. The employee must submit to another screen test and have a negative result within six weeks from the date he/she was suspended, otherwise the employee will be discharged. The City will decide when the test shall be administered. Before the employee returns to work, he/she will be required to sign a reinstatement agreement that states under what conditions the employee will be reinstated and that random drug testing may be conducted for one year.

An employee who has been suspended for a positive drug test and allowed to return to work will be discharged for a positive result on any confirmatory drug test.

#### Coordination With Law Enforcement Agencies

The sale, use, purchase, transfer or possession of an illegal drug or drug paraphernalia is a violation of the law. The City will report information concerning possession, distribution, or use of any illegal drugs to law enforcement officials and will turn over to the custody of law enforcement officials any such substances found during a search of an individual or property. Searches will only be conducted of individuals based on reasonable cause; and only of their vehicles, lockers, desks, closets when based on reasonable suspicion. The City will cooperate fully in the prosecution and/or conviction of any violation of the law.

### **8.2 Workplace Injury, Illness and Near Miss Reporting**

Any employee who is injured or acquires an occupational illness, regardless of severity, must report the incident to their supervisor immediately.

Supervisors/managers must contact Human resources within 24 hours of a reported workplace injury or illness. Necessary documentation including the details of the incident, witness testimony, hospitalization, etc. will be required.

A *First Report of Injury* or comparable form from the City's current property/liability carrier must be completed for every incident. Current forms can be obtained from Human Resources.

Near Miss Reporting is also recommended to track and evaluate unsafe conditions or practices that could lead to an injury or illness in the future.

### **8.3 Property/Liability Reporting**

Any employee who is involved in an accident that damages City property or equipment and/or causes damage to another's property/equipment, regardless of severity, must report the incident to their supervisor immediately.

Supervisors/managers must contact Human resources within 24 hours of reported property/liability damage. Necessary documentation including the details of the incident, witness testimony, possible damages, etc. will be required.

A Claims Notice or comparable form from the City's current property/liability carrier must be completed for each incident. Current forms can be obtained from Human Resources.

#### **8.4 Temporary Salary Continuation for Workplace Injuries and Illnesses**

The City of Glenn Heights provides up to forty (40) hours of disability leave to employees injured in the course and scope of their employment per injury/illness. These benefits are available to all employees.

The purpose of this benefit is to alleviate an employee having to exhaust his/her personal leave time, as the indemnity portion of workers' compensation benefits do not begin unless disability exceeds seven days.

Employees will not be required to use sick, personal or vacation leave for lost work time due to a work related injury or illness.

In the event the employee receives dual payment for days 1-7 of lost work time, the employee shall endorse payment from the worker's compensation carrier, payable to the City.

Any employee who is found to have committed fraud related to a worker's compensation claim will be required to return salary continuation payments to the City and will be subject to disciplinary action up to and including termination.

#### **8.5 Use of City Vehicles & Equipment**

The City will make every effort to provide each employee with adequate transportation, tools and equipment for the job being performed. Each employee is expected to observe safe work practices, adhere to departmental guidelines, and attend required training related to proper use.

Certification and training requirements of powered industrial vehicles are to be kept current and should be based on the specific PIV's operated within the City.

Supervisors are responsible for developing departmental guidelines, ensuring that employees are properly licensed and trained, and observing/reporting unsafe practices.

#### **8.6 Vehicle Operator's License, Screening and Training Requirements**

All operators of City vehicles are required to have a valid State of Texas driver's license (Class C minimum). Employees who have a change in the status of their license must notify their supervisor immediately.

The City will periodically verify the driving records of all employees who operate City vehicles. Any suspended or invalid license, excessive moving violations, or other related infractions could lead to the termination of City driving privileges. Failure to maintain a safe driving record or valid driver's license may be ground for disciplinary action up to and including termination.

## **8.7 Worker's Compensation**

Work-related injuries or illnesses may be covered under the City's Workers' Compensation Program. To be considered work-related, the injury or illness must arise from and occur in the course of employment and be reported according to guidelines outlined in this handbook. The City's Worker's Compensation provider will determine the validity of claims and provide assistance to employees in an effort to promote a return to the employee's full duties.

When authorized by a physician, medical expenses related to the treatment of a work-related injury or illness (including doctor, hospital, surgical, physical therapy, prescription medication, medical equipment, and any out-of-pocket medical expenses), are covered. Vocational benefits may also be provided.

Workers' Compensation also pays for wages lost as a result of an employee injury or illness, provided that the absence from work is related to a work injury or illness and is authorized by a doctor.

Workers' compensation disability payments represent less than 70% of an employee's average weekly wages and are non-taxable income.

If an employee is out on workers compensation for more than 30 days, the employee has an obligation to continue paying his/her voluntary benefits. City-paid benefits will continue if elected prior to the injury or illness.

### **Indemnity Benefits**

There are several classifications of disability benefits under Workers' Compensation which are paid to employees for loss of income as a result of a work-related injury. These benefits are paid by the City's worker's compensation carrier and are sent directly to the employee's home.

**Temporary Total Disability** - These benefits are paid if disability extends beyond seven days. Benefits are a portion of the employee's average weekly wage and are based upon the income of thirteen (13) weeks prior to the injury.

**Temporary Partial Disability** - These benefits are usually paid if the employee has been released to return to work light duty but has a loss of income because of physical restrictions.

### **Fraud**

Workers' compensation fraud occurs when a person knowingly or intentionally conceals, misrepresents, or makes a false statement to either deny or obtain workers' compensation benefits or insurance coverage, or otherwise profit from the deceit.

Employees who are found to make fraudulent claims regarding injuries or illnesses will be subject to disciplinary action including and up to termination.

Suspected fraudulent activity should be reported to Human Resources, the City's worker's compensation carrier or the Texas Department of Insurance.

## **8.8 Workplace Violence**

The City of Glenn Heights will not tolerate threats or intimidating, threatening, or violent acts in the workplace or outside the workplace when it is work related. This is a zero-tolerance policy.

This policy and procedure is applicable to all departments, employees, contract employees, and volunteers representing the City of Glenn Heights.

For the purpose of this policy, the following definitions will apply:

Threat - any aggressive or intimidating expression or any other expression (whether verbal, written or other form of expression) of an intention to inflict injury or damage to Employees or property. Three categories of threats are:

- Direct threat - a threat in which an individual identifies a specific target and describes a method for committing the violence.
- Conditional Threat - a threat which is contingent upon a certain set of circumstances. There is often an "if, then" statement in the threat. For example, "If I lose my job, then you'll pay for it."
- Veiled threat - a threat which is usually vague and subject to interpretation. For example, "I don't know what I am capable of doing."

Internal workplace threat - threat or act of violence from a co-worker or another employee of the City of Glenn Heights while on the job or at the workplace. This includes a threat or violent act that occurs outside the workplace when it is work related.

External workplace threat - a threat or violent act involving an employee and an individual not employed by the City of Glenn Heights, which occurs while an employee is performing his job. For example, a threat from an angry customer or citizen.

Violent Act - includes, but is not limited to, hostile behavior, physical abuse, vandalism, arson, sabotage, use of weapons, or any other act, which is inappropriate in the workplace.

Workplace - an area, office, establishment, facility or vehicle in which an employee performs the duties of his job.

### **Responsibilities**

Directors, Department Heads, and Supervisors are responsible for communicating this policy to employees. In addition, Department Heads are responsible for developing procedures specific to their employees and respective facilities, in regard to responding to workplace threats and violent acts.

If a threat should occur, an employee must assess the threat and determine if intervention is needed. Employees should call 9-1-1 or the Police Department directly if they believe there is an immediate serious threat to the safety and health of others.

Employees who are subjected to threats or violent acts by employees or non-employees, including family members, should immediately report the incident to their direct supervisor.

All complaints relating to an internal workplace threat or violent act will be investigated by the immediate supervisor. The incident, findings, and recommendations should normally be reported to the Department Head, and City Manager.

Complaints and incidents shall be reported in writing. A supervisor and/or Human Resources shall investigate any complaint (verbal or written). If the inquiry sustains the complaint, the offender shall receive appropriate disciplinary action or termination.

Any employee, official, contractor or volunteer who believes he or she has been a victim of threats of workplace violence may make a complaint verbally or in writing to any member of management. There is no need to follow the chain of command, especially in instances where the immediate supervisor may be identified as the accused.

**Section  
Nine**

**Safety**

**9.0**

**Employee Vaccinations & Blood borne Illness Prevention**

**Purpose...**

It is the City's policy to protect the health and safety of employees through the establishment and enforcement of an occupational exposure control plan that eliminates or minimizes occupational exposure of employees to blood borne pathogens. This exposure control plan identifies employees who are subject to occupational exposure to blood borne pathogens, establishes information and training standards for those employees, establishes an immunization program for Hepatitis B virus that provides protection for City employees from occupational exposure to blood borne disease.

Blood borne pathogens refers to pathogenic microorganisms that are transmitted in human blood and body fluids. This section details controls to prevent employee exposure, procedures to follow to clean-up spills, and a post-exposure protocol to follow. The most widely known blood borne pathogens are Hepatitis B, Hepatitis C and Human Immunodeficiency Virus (HIV). Of these three most common blood borne pathogens, Hepatitis B Virus (HBV) is the most infectious.

It is not reasonably anticipated that many City employees will be exposed to blood borne pathogens. Those with heightened risk for exposure are listed below and

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should follow the guidelines of this plan to minimize exposure. Any employee who believes that the exposure exists for them, and has not been identified below, should contact their manager and/or Human Resources.

### **Exposure Determination...**

The following tasks and procedures are reasonably anticipated to involve the potential for exposure to blood, body fluids, and other potentially infectious material (OPIM):

- Performing first-aid duties and/or emergency medical treatment
- Performing mouth-to-mouth resuscitation
- Performing custodial duties in bathrooms, parks, or other public areas where needles may have been disposed of in trash receptacles
- Performing work within sewers and coming into possible contact with untreated sewage

The City departments most closely associated with these duties are Fire, Police, Water, and Municipal Services. Employees performing or with the potential to perform any of the duties listed above are determined to have potential occupational exposure.

### **Training and Information...**

Employees in the above classification receive training at no cost to the employee, provided during working hours. The training will be provided within seven (7) days of initial hire and annually thereafter.

Training includes, at a minimum, the following elements:

- A copy of the Plan and an explanation of its contents
- A general explanation of the epidemiology and symptoms of blood borne diseases
- An explanation of the modes of transmission of blood borne pathogens
- An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and OPIM
- An explanation of the use and limitations of methods that will prevent or reduce exposure including engineering controls, administrative or work practice controls, and personal protective equipment
- Information on the types, proper use, location, removal, handling, decontamination and disposal of personal protective equipment

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- Information on the Hepatitis B vaccine, including information on its efficacy, safety, method of administration, the benefits of being vaccinated, and that the vaccine and vaccination shall be offered free of charge
  - Information on the appropriate actions to take and persons to contact in an emergency involving blood or OPIM including a method for reporting the incident, and medical follow-up that will be made available

### **Training Records...**

Training records shall contain the following:

- The date(s) of the training session
- The contents or summary of covered materials
- The names and qualifications of the person conducting the training
- The names and job titles of the person(s) attending the training

Training records shall be maintained for three (3) years from the date on which the training was conducted.

### **Methods of Compliance...**

Those departments with exposed employees may create a Department-specific Exposure Control Plan or standard operating procedure however the contents at a minimum should include all sections of this plan. A copy of the proposed plan shall be kept on file in Human Resources as an addendum to the City-wide plan and should be included in any employee training program(s).

### **Hepatitis B Vaccine...**

Hepatitis B vaccination is available at no cost to any identified employee with a potential occupational exposure upon hire and at any time thereafter and to any employee after exposure.

Employees who do not elect to participate in the vaccination program are required to complete the declination form at each offering. Employees who initially decline vaccination can elect at any other time to commence vaccinations. Record of completion or declination of the vaccination program will be maintained in Human Resources.

### **Post-Exposure Protocols...**

The following protocols should be included in any departmental standard operating procedure for employees who may be exposed to blood borne pathogens in the course of employment:

1. Reporting Requirements, including the immediate notification of the supervisor and, if necessary, completion of necessary report forms (worker's compensation

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*DWC FORM-1: Employers First Report of Injury or Illness*). An accident investigation should be completed following each exposure incident. Suggestions for preventing future employee exposures should also be included with investigation summaries.

2. Post exposure evaluation and follow-up care shall be made available at no cost to all employees who have an exposure incident.

3. Immediately following an exposure incident, the employee shall be provided a free confidential medical evaluation, confidential medical counseling if requested, and follow-up care as outlined by the treating physician.

4. Following an incident, employees shall be offered the HBV vaccine. Should the employee decline the vaccination, the employee shall sign a *Refusal of Post-Exposure Medical Evaluation for Blood borne Pathogen Exposure* form. Should the employee change his/her mind regarding accepting the vaccine in the future, it shall be provided to the employee at no cost.

5. If given consent, the source individual's blood shall be tested for blood borne pathogens. Unsuccessful attempts made to obtain consent shall be documented using the *Source Individual's Consent or Refusal* form. The results of the source individual's blood test(s) shall be made available to the exposed employee.

All findings, diagnosis, and medical records regarding exposure shall remain confidential and be maintained by the City. Medical records shall be kept for 30 years.

#### **Decontamination...**

All spills of blood or other potentially infectious materials occurring on City property shall be cleaned with a solution of 1 part household bleach to 10 parts water or other substance deemed as suitable for the treatment of bio-hazardous substances.

Employees shall wash hands (and other exposed areas) frequently and immediately after possible exposure with disinfecting soap or other substance deemed as suitable for the treatment of bio-hazardous substances.

Contaminated items (clothing, bandages, cleaning materials, etc.) shall be discarded in a plastic bag clearly labeled for bio-hazardous material and disposed of properly.

#### **Personal Protective Equipment...**

Employees shall be provided, at no cost, personal protective equipment (gloves, eye protection, face mask, etc.) to be used when performing job duties with possible exposure to blood and other potentially infectious materials.

Employees will also be provided training on the proper use and disposal of personal protective equipment.



## **9.1 Safety Guidelines & Responsibilities**

### **Management Safety Responsibilities**

Management is responsible for providing a place of employment that is free from recognized hazards that could result in injuries or accidents. Since it is impossible for managers to personally observe all employee activities, management must assure that all supervisors are trained and are aware of their safety responsibilities. Other safety responsibilities for managers include:

- Providing leadership and direction concerning safety activities.
- Participating actively in the continuous evaluation of the safety program.
- Setting goals concerning safety performance within your department.
- Reviewing losses for potential trends on a regular basis.
- Enforcing all safety rules.
- Participating in facility and work site audits.
- Participating and supporting all accident investigation activities.
- Reviewing accident reports and recommend corrective actions.

### **Supervisor Safety Responsibilities**

Safety is as much a part of the supervisor's responsibility as is getting the job done efficiently. Among the important safety responsibilities of each and every supervisor are:

- Familiarizing yourself with and enforcing the safety rules and regulations that have been established by applicable local, state and federal organizations. These regulations are intended to set minimum standards for safety and the contents of the regulations should be enforced as minimum safety requirements for all activities on our work sites or in our facilities.
- Correcting all reported hazards. Operating under known hazardous conditions will not be tolerated.
- Not permitting new or inexperienced employees under your supervision to work with power tools, machinery or complex equipment without proper instruction and training.
- Giving adequate instructions. Do not assume that an employee knows how to do a job unless you personally have knowledge that the person can perform the task correctly.
- Ensuring tools, equipment and machinery being used in the workplace are in proper working condition.

- Ensuring that proper personal protective equipment is available and used by employees when necessary or required.
- Always setting a good example in safety, such as wearing the proper safety equipment (safety glasses, hard hats, etc.) following policies/procedures, using seat belts, etc.
- Not allowing the use of unsafe tools or equipment.
- Consistently enforcing the requirements of the organization's safety program and any associated rules or policies.
- Ensuring that all employees have access to a copy of the organization's safety program.
- Encouraging safety suggestions from employees under your supervision.
- Obtaining prompt first aid for injured employees.
- Participating in accident or incident investigations involving your employees.
- Conducting audits of all work areas and facilities on a regular basis in an effort to improve housekeeping, eliminate unsafe conditions and encourage safe work practices.

#### Employee Safety Responsibilities

All employees bear a certain amount of responsibility in any safety program. You must be aware that your actions, mental state, physical condition, and attitude directly affect the safety of yourself and your fellow employees. All employees will:

- Know your job, follow instructions, and think before you act.
- Use your protective equipment (eye protection, hard hats, gloves, etc.) as the job requires.
- Work according to good safety practices as posted, instructed, and/or discussed.
- Refrain from any unsafe act that might endanger yourself or your fellow workers.

- Use all safety devices provided for your protection.
- Report any unsafe situation or act to your supervisor immediately.
- Assume responsibility for thoughtless or deliberate acts that may cause injury to yourself or your fellow workers.
- Abide by all policies, procedures, rules, etc. associated with (---MEMBER's---) Safety Program. A copy of this Program is available at anytime upon request.
- Never operate equipment that you are unfamiliar with or not trained to use. Also, equipment that is defective or in need of repair shall not be used and must be reported to your supervisor.
- Report all accidents/incidents to your supervisor as soon as they occur.

Section Ten	Code of Conduct and Ethics
10.0	<b>Ethics</b>

The City of Glenn Heights supports a culture of openness, trust, and integrity in all management and business practices. A well-understood ethics policy requires the participation and support of every employee and volunteer.

#### Code of Ethics

City of Glenn Heights employees, volunteers and contractors must:

- Be honest and ethical in their conduct, including ethical handling of actual or apparent conflicts of interest between personal and professional relationships.
- Comply with applicable government laws, rules and regulations.
- Maintain the confidentiality of information entrusted to them except when authorized or otherwise legally obligated to disclose.
- Deal fairly with citizens, suppliers, competitors, volunteers, and employees.
- Provide constituents with information that is accurate, completely objective, relevant, timely, and understandable.
- Proactively promote ethical behavior as a responsible partner among peers in the work environment.
- Protect and ensure the proper use of City assets.
- Prohibit improper or fraudulent influence over the auditors or any regulating agency.

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- Avoid any activity, investment, or interest that might reflect unfavorably on the reputation of the City.

The City is committed to providing a work environment that values diversity among its volunteers and employees. All human resource policies and activities are intended to create a respectful workplace where every individual has the opportunity to reach their highest potential.

Employees are provided opportunities regardless of race, color, religion, gender, national origin, sexual orientation, marital status, age, veteran status, or disability. These policies apply to both applicants and employees in all phases of employment including, recruiting, hiring, placement, training, development, transfer, promotion, demotion, performance reviews, compensation, benefits, and separation from employment.

Employees, volunteers, contractors, and suppliers are expected to report any practices or actions believed to be inappropriate to their supervisor, manager, or the Human Resources department.

## **10.1 Conflict of Interest**

- No employee shall use his/her official position to secure benefits, privileges, or exemptions for him/herself or others.
- No employee shall grant any special consideration, treatment, or advantage to any citizen, person, firm, group or corporation beyond that which is available to every other citizen, person, firms, group or corporation.
- No employee shall disclose information that could adversely affect the property, government or affairs of the City, nor directly or indirectly use any information gained by reason of his/her official position or employment for his/her personal gain or benefit or the private interest of others.
- No employee shall transact any business on behalf of the City in his/her official capacity with any business entity with which he/she is an officer, agent, or member, or in which he/she owns directly or indirectly a substantial interest.<sup>1</sup> In the event that such a circumstance should arise, then he/she shall make known his/her interest, and in the case of an officer, abstain from voting on the matter, or in the case of an employee, turn the matter over to his/her superior for reassignment, state the reason for doing so, and have nothing further to do with the matter involved.
- No employee shall represent, directly or indirectly, or appear in behalf of private interests of others before any agency of the City or any City Board or Commission, nor shall he/she represent any private interest of others in any action or proceeding involving the City, nor participate on behalf of others in any litigation to which the City might be a part, nor shall he/she accept any retainer or compensation that is contingent upon a specific action taken by the City or any of its agencies.

**10.2 Gifts**

No employee shall accept any gift, or favor from any citizen, person, group, or corporation that might reasonably tend to influence him/her in the discharge of his/her official duties, or grant in the discharge of his/her official duties any improper favor, service, or things of value.

**10.3 Outside Activities**

No employee shall engage in any outside activities which will conflict with, or will be incompatible with, the duties assigned to him/her in the employment of the City, or reflect discredit upon the City, or in which his/her employment with the City will give him/her an advantage over others engaged in a similar business, vocation or activity.

No employee shall accept other employment or engage in outside activities incompatible with the full and proper discharge of his/her duties and responsibilities with the City, or which might impair his/her independent judgment in the performance of his/her public duty. Employees engaged in outside jobs shall keep their supervisors informed as to schedule and hours worked and will be fully responsible to report to work in physical condition to perform in their normal satisfactory manner.

No employee shall receive any fee or compensation for his/her services as an officer or employee of the City from any source other than the City except as may be otherwise provided by law. This shall not prohibit his/her performing the same type or other services for a private organization that he/she performs for the City if there is no conflict with his/her City duties and responsibilities.

No employee shall represent, directly or indirectly, or appear in behalf of private interests of others before any agency of the City or any City Board or Commission, nor shall he/she represent any private interest of others in any action or proceeding involving the City, nor participate on behalf of others in any litigation to which the City might be a part, nor shall he/she accept any retainer or compensation that is contingent upon a specific action taken by the City or any of its agencies.

**10.4 Political Activity**

No employee shall use the prestige of his/her position in behalf of any political party.

Undue Political Influence in City Council Elections

To avoid undue influence of City employees on the outcome of Glenn Heights City Council Elections, and to avoid undue influence of City Council or candidates for Glenn Heights City Council:

- No employee of the City may circulate petitions for City Council candidates, at work or in a City uniform or in the office or building of the City of Glenn Heights, although he/she may sign such a petition.
- No employee of the City may solicit or receive contributions for a City Council candidate, while at work or in a City uniform or in the offices or buildings of the City of Glenn Heights.
- No employee of the City may wear City Council campaign buttons nor distribute campaign literature at work or in a City uniform or in the offices or buildings of the City of Glenn Heights.

#### Undue Political Influence in Non-City Council Elections

To avoid undue influence of City employees on the outcome of elections other than City Council elections, an employee may not:

- Use the prestige of his/her position with the City for any candidate for public office.
- Solicit or receive contributions for a political campaign, while at work or in a City uniform or in the offices or buildings of the City of Glenn Heights.
- Actively support or oppose a candidate except on his/her own time while not in a City uniform nor in any office or building of the City of Glenn Heights.

#### Prohibiting Holding or Running for Other Office

If any employee of the City shall become a candidate for nomination or election to any public office within the State having contractual relations with the City, direct or indirect; or any elective office which would conflict with his/her position as an employee of the City, he/she shall immediately forfeit his/her place or position with the City.

## **10.5 Public Relations and Media**

This policy is established to ensure that the City is represented with consistent messages and with one clear voice to the media and constituents, both internal and external.

The City Manager's Office offers and coordinates services to enhance the visibility and to accurately project the key messages and image of the City of Glenn Heights through the use of a variety of communications. These include news and press releases, publications, City Web site, coordinated outreach activities, advertising and prompt response to media queries.

In the event of a news story, from a minor negative happening to a crisis situation, it is the job of the City Manager in conjunction with the City Council, City Attorney and Department Heads to:

- coordinate the flow of information to the media and constituents
- assist City officials in preparing public statements
- assure that public information is made available accurately and in a timely manner

Employees are discouraged from addressing the media directly without consulting the City Manager's Office.

## **10.6 Relations with Council**

### **Purpose**

The City Manager is responsible for the day-to-day operations of the City. As such, the City Council shall endeavor to maintain a professional relationship with the City Manager to afford him/her the ability to work for the benefit of the organization.

### **Application**

This policy shall apply to all City elected officials and the City Manager.

### **Policy**

The precise duties of the City Manager are not defined under Texas law. Section 5.01 of the Glenn Heights Home Rule Charter establishes the office of the City Manager and outlines the duties generally as the administrative head of the government of the City under the direction and control of the City Council.

### **Council-Manager Relations**

Pursuant to Section 5.05 of the Glenn Heights Home Rule Charter, neither the City Council nor any member thereof shall give orders to any subordinates of the City Manager. The City Manager shall take his or her orders and instructions from the City Council only when sitting in a duly held meeting of the City Council and no individual Council member shall give any orders or instruction to the City Manager.

Nothing shall prevent any Council member from discussing matters of the City with the City Manager. In addition, nothing shall prevent the City Council from authorizing the Mayor or a committee of the Council to instruct the City Manager in any area designated by the City Council. The City Council agrees none of its members will publicly censure or criticize City staff and will instead relay any criticism of a City staff member privately through the City Manager. The City Council shall not interfere in any way in the City Manager's authority over employees and how the organization performs its work.

### **City Manager Performance**

The City Council shall review and evaluate the performance of the City Manager at least once annually. The annual review and evaluation should contain specific criteria developed jointly by the City Council and the City Manager.

## **10.7 Rules of Conduct**

All employees of the City of Glenn Heights are expected to report to work regularly and on time, work diligently and conscientiously for the benefit of the City as directed by their supervisors, and maintain a high level of conduct, both on and off the job.

Counseling and sufficient time for improvement will, in general, precede written discipline. However, nothing in this section shall prevent immediate formal action whenever the interest of the City requires it. The following are offenses which apply to all employees and which are grounds for a discharge, or depending on the facts and circumstances of the particular case, may result in demotion, suspension, written reprimand or dismissal:

### **Unsatisfactory Attendance**

Excessive absences and/or tardiness. Note: An employee who is absent without leave for three or more consecutive working days shall be deemed to have abandoned his job and shall be removed from the payroll and discharged.

### **Incompetence**

Inability or unwillingness to perform assigned work satisfactorily; or an accumulation of other offenses may result in dismissal if the determination is made the employee will not improve performance.

### **Indifference Toward Work**

Inefficiency, loafing, carelessness, failure to remain at work, performing personal business during working hours, abuse of eating and/or rest periods, sleeping or otherwise being inattentive during working hours, interfering with the work of others, discourteous treatment of public or other employees. Leaving work without permission.

### **Insubordination**

Willful failure or refusal to perform assigned work, or to fully comply with instructions or orders as requested by the supervisor or other members of management.

If an employee believes the instruction or order is improper, he/she should obey the instruction/order and file a grievance later. If an employee believes the instruction or order, if followed, would result in physical injury to himself or others, or damage City equipment, he/she should request approval by the next higher



level of supervision before performing the work. This does not apply where there are inherent dangers in the employee's job.

#### Whistle Blowing

A City may not suspend or terminate the employment of, or otherwise discriminate against, a public employee who reports a violation of the law to the appropriate law enforcement authority if the employee's report is made in good faith.

#### Violation of Safety Rules

Smoking in prohibited areas, improper removal of safety guards, fire extinguishers, or other equipment designed to protect employees, or failure to use safety equipment or to follow safety practices or rules; failure to report an on the job injury, or vehicle accident, or unsafe condition.

#### Dishonesty

Stealing or taking City property or property of other employees without proper authorization; misuse of City employee funds, forging or willfully falsifying official City reports, records, or documents, misuse of paid leave of absence; or any other falsifying action detrimental to the City or fellow employees.

#### Disturbance

Fighting, using profane, abusive or threatening language; unnecessary loud or boisterous language or conduct; causing injury to fellow employees through deliberate action or gross negligence; spreading false reports, or otherwise disrupting the harmonious relations between employees.

#### Abuse of Drugs or Alcohol

Reporting to work in an unfit condition; being under the influence of intoxicants, or a controlled substance including marijuana, narcotics, or drugs of any kind; or drinking intoxicants or taking into the body a controlled substance including marijuana or a dangerous drug during working hours; or possessing intoxicants, or unlawfully possessing controlled substances, including marijuana, narcotics or dangerous drugs on City property or in City vehicles.

#### Misuse of City Equipment or Services

Using or providing to someone else any City property, equipment or services for other than official City business or without proper authority. This is inclusive of all items. Example: motor vehicles, computers, telephones, office supplies, etc.

#### Motor Vehicle Use

All employees are expected to operate any motor vehicle or other equipment in a safe and prudent manner, and in accordance with the motor vehicle laws of the State of Texas. Any employee, whose position demands a current, valid operator's license and who has his/her license suspended or revoked, is subject to transfer,

demotion, suspension or discharge. There will be no smoking or other tobacco use in any City Vehicle.

#### Sabotage

Deliberate encouraging or engaging in slow-downs, sit-ins, strikes, or any other concerted damage or destruction of City equipment or property. Altering, removing, or destroying City records. Advocacy of or participation in unlawful trespass or seizure of City property effort to limit or restrict employees from working.

#### Misconduct

Any criminal offense or other conduct, including immoral conduct, during or off working hours, which could have an adverse effect on the City or on the confidence of the public in the integrity of the City government, or on the relationship of the employee and other employees.

Due to the wide variety of services performed by the City of Glenn Heights, it is necessary for many departments to establish codes of conduct, rules, policies, and procedures to accomplish their responsibilities. Employees who violate these departmental codes of conduct, rules, policies or procedures are subject to disciplinary action for violation thereof.

### 10.8 Solicitations

Solicitations of funds for any purpose is not permitted by or of City employees on the job unless written approval by the City Manager has been given in advance.

Section Eleven	Additional Guidelines
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11.0	<b>Catastrophic Event</b>
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In the event of a catastrophic event such as a natural disaster, biological threat, pandemic, communicable disease, terrorist attack, etc., it is important that City personnel have a clear understanding of their roles in business continuity.

Catastrophic events occurring during non-work hours will be communicated and managed in the same manner as inclement weather.

During working hours, employees and managers should understand how to evacuate, be accounted for, and respond in an emergency. Prolonged events may require the need for temporary facilities to provide on-going service to internal and external publics.

#### Responsibilities

Managers shall

- 
- Develop, communicate, and reinforce emergency procedures with employees
  - Maintain current emergency contact information on all staff that can be accessed remotely in the event of an emergency
  - Ensure that employees are accounted for in the event of an emergency
  - Know the chain of command in the event of a catastrophic event

Employees and Managers shall

- Understand and participate in emergency preparedness activities
- Provide and update current emergency contact information
- Report to designated areas in the event of a catastrophic event

## **11.1 Computer, Internet, E-mail and Other Communication and Technology Resources Guidelines**

### **Purpose**

The City of Glenn Heights provides access to computer, internet, data, cell phones, e-mail and related technology to promote productivity and service to citizens. This policy outlines appropriate and acceptable uses of such devices as well as responsibilities for protecting electronic data.

### **Policy**

The City promotes the use of services available through technological resources which will enable employees to achieve the City's mission. It is expected that employees will access information on topics which have relevance to the City and the role of the employee within the organization. Although access to these resources is encouraged, the City will take every necessary measure to protect data and the integrity of all information shared through electronic means.

### **Responsibilities**

**Management-** Managers have the authority to determine which employees need access to technological resources and for what purpose. Preventive measures such as password control, system monitoring and oversight should be performed periodically to ensure appropriate use of City resources. Managers should also limit or control access for any temporary employee, contractor, etc. to City information systems and resources.

**Employees-** Employees must be knowledgeable of guidelines provided in this policy and ensure that access to information resources is appropriate and applicable to their current position. Employees should also report any misconduct related to information resources to their manager.

No employee shall be permitted to download or apply non-City approved software or other devices at any time. The City shall secure proper licensing and permissions to ensure that all information resources are used for the purposes that they are intended.

#### Violations

Employees accessing the City's information resources should not engage in the following activities at any time while accessing City equipment or facilities or when using a City IP address:

- Activities for illegal purposes
- Transmitting threatening, obscene, offensive or harassing materials or correspondence
- Accessing sites containing threatening, obscene, offensive or harassing materials or correspondence
- Unauthorized distribution of City data or information
- Interfering with or disrupting network users, services or equipment
- Private purposes such as marketing, business transactions, or social media
- Solicitation for religious or political purposes
- Private advertising of products or services
- Any activity meant to foster personal gain

Violations of this policy may result in disciplinary action up to termination.

#### Training

All employees shall receive training on the proper use of information resources and provisions of this policy initially upon hire and at least every other year following.

## **11.2 Inclement Weather**

#### Purpose

To prescribe uniform procedures for the closure of state offices and the treatment of employee absences from work during periods of inclement weather and other emergencies.

#### Policy

Whenever it is determined that the health or safety of citizens, contractors, or employees would be placed at risk or that conditions or events prevent performance of regular operations, closure of non-essential operations may be deemed necessary.

The City Manager shall make decisions regarding the conditions affecting the closure of all departments. The City will make every effort to maintain normal work hours, even during inclement weather. Police and Fire Personnel must follow departmental guidelines governing inclement weather.

### Communication of Closure

In the event that inclement weather impacts City operations, notifications will be posted on WFAA Channel 8 television and WBAP FM 820 radio stations. Confirmation can also be obtained by contacting your Department Head or Human Resources.

### Treatment of Absences

When an employee is prevented from reporting to work or remaining at work because of the closure of the City due to inclement weather, such absence is considered to be with pay and not charged to any accrued leave or compensatory time up to one workday. Any additional time off must be charged to available leave balances (i.e. vacation or personal).

Absences due to an employee's personal circumstances shall be charged to available leave or shall be unpaid.

Employees who are not directly affected by the conditions warranting closure, or who are not scheduled to work during such times, shall not accrue any right to, and shall not be compensated in any manner for, any absence that may be authorized for the employees directly affected.

Employees with the ability to telecommute may be authorized to work from home if authorized by their Department Head in accordance with the Telecommuting Policy. Employees may also be given the option of working additional days and or hours to make up for any unpaid leave due to inclement weather if departmental workloads permit.

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## Reference

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The following information is provided as guidance for common personnel issues. Contact Human Resources for detailed information on any decisions governing personnel decisions.

### General

- How do I request COBRA coverage for myself or eligible dependants?

*Employees who leave employment with the City or become otherwise eligible for COBRA will be provided with instructions including pricing for medical coverage following their last day of employment. Employees will automatically be terminated from current coverage and must take the necessary steps to elect COBRA coverage and arrange direct payment for premiums within the specified timeframe.*

- How do I request leave for medical issues related to myself or my dependants?

*If you or an immediate family member will be/or is experiencing a major medical event, you may be eligible for FMLA leave. Employees must be “qualified” through a physician and Human Resources before leave can be approved or provide documentation on the “qualification” of a dependant.*

*Following approval, employees will be provided with detailed instructions on available leave balances. Employees on FMLA for their own serious medical condition must be “medically cleared” before returning to work from approved FMLA leave.*

- How do I request military leave for myself or related to military service of my spouse?

*You must provide a copy of your or your spouse’s military orders in advance. Based on the type of leave (i.e. military or FMLA Military, etc.) and the duration, you will receive additional information on the leave and time period that you may be eligible for.*

- How do I report harassing, discriminatory or retaliatory behavior?

*The City has a zero-tolerance policy on any form of harassing, discriminatory or retaliatory behavior. Any employee who witnesses or is the victim of this behavior should report the incident immediately to any supervisor or manager. The City will take every necessary measure to prevent future occurrences and will quickly address any known or suspected behavior.*

### Employees

- How do I request a job audit?

*If you feel that your position is misclassified based on duties, salary, or other factors, you should contact your supervisor and ask for a job audit. The supervisor will contact Human Resources for guidelines on conducting a job assessment and next steps. Any recommended changes to the position will conform to applicable policies on pay and classification.*

- How do I donate sick leave?

*Employees may donate sick leave in accordance with the Catastrophic Illness Policy by contacting Human Resources. Donated leave is contributed to a general fund and may be awarded to ANY qualifying employee.*

- How do I request sick leave for a catastrophic illness?

*An employee who experiences a prolonged medical condition for themselves or an immediate family member and is/was approved for FMLA may request the use of transferred leave once all sick, vacation and personal leave has been exhausted in accordance with the Catastrophic Illness Policy.*

## **Managers**

- How do I post an open position in my department?

*Positions are posted according to the Anticipated Job Vacancies policy. Once an open position is posted, the hiring manager will be presented with qualified applicants based on the job requirements. Interviews and pre-screening of candidates will be at the discretion of the hiring manager in most cases.*

*Once a qualified candidate is selected, salary negotiations, pre-screening, vetting, employment offers and on-boarding will be coordinated through Human Resources. Managers should not make expressed or implied offers of employment to any candidate.*

- How do I report an accident/injury/illness?

*Accidents, injuries and illnesses should be reported to the Department Head and Human Resources as soon as possible, not to exceed a period of twenty-four (24) hours. Incidents can be communicated immediately but should also be documented using the appropriate reporting form(s). Managers should gather any related documentation, collect witness statement, etc. that may aid in the accident/injury/illness investigation and determination. Managers may also be asked to provide a statement or make recommendations on the prevention of future similar occurrences.*

- How do I begin to take disciplinary action?

*If it is deemed necessary to take disciplinary action against an employee, the manager should review the Progressive Discipline and Appeals Process policy and gather any related documentation related to the action(s). Managers shall consult Human Resources prior to taking disciplinary action beyond written reprimand.*



## **Forms**

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The following is a listing of frequently used personnel forms. Please contact Human Resources for a current version of applicable forms.

### **FMLA**

- FMLA Medical
- FMLA Military
- FMLA Return to Work Authorization
- Certification of Health Care Provider for Employee's Serious Health Condition

### **Position Vacancies**

- Job Requisition

### **Employee Development**

- Individual Development Plan
- Performance Review Worksheet

### **Military Leave**

- Military Leave for Service or Training
- Application for Reemployment for Military Leave

### **Time Reporting**

- Overtime Request Form

### **Catastrophic Leave**

- Catastrophic Sick Leave Donation
- Catastrophic Sick Leave Request

### **Accident/Injury/Illness**

- First Report of Injury/Illness
- Property/Liability Claim Form

### **Occupational Exposure**

- Hepatitis B Vaccine Declination Form
- Refusal of Post-Exposure Medical Evaluation for Blood borne Pathogen Exposure
- Source Individual's Consent or Refusal

## **Acknowledgement of Receipt**

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I hereby acknowledge that I have received a copy of the City of Glenn Heights Personnel Policies, Procedures & Guidelines.

I have read and understand all of the provisions specified in the document. I understand that a violation of the provisions may result in disciplinary action up to and including termination.

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**Employee Signature**

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**Date**